

**AGENDA OF A REGULAR MEETING - NATIONAL CITY CITY COUNCIL/
COMMUNITY DEVELOPMENT COMMISSION – HOUSING AUTHORITY OF
THE CITY OF NATIONAL CITY**



**COUNCIL CHAMBERS
CIVIC CENTER
1243 NATIONAL CITY BOULEVARD
NATIONAL CITY, CALIFORNIA
TUESDAY, MARCH 20, 2018 – 6:00 PM**

RON MORRISON
Mayor

ALBERT MENDIVIL
Vice Mayor

JERRY CANO
Councilmember

MONA RIOS
Councilmember

ALEJANDRA SOTELO-SOLIS
Councilmember

ORDER OF BUSINESS: Public sessions of all Regular Meetings of the City Council / Community Development Commission - Housing Authority (hereafter referred to as Elected Body) begin at 6:00 p.m. on the first and third Tuesday of each month. Public Hearings begin at 6:00 p.m. unless otherwise noted. Closed Sessions begin at 5:00 p.m. or such other time as noted. If a workshop is scheduled, the subject and time of the workshop will appear on the agenda. The Mayor and Council members also sit as the Chairperson and Members of the Board of the Community Development Commission (CDC).

REPORTS: All open session agenda items and reports as well as all documents and writings distributed to the Elected Body less than 72 hours prior to the meeting, are available for review at the entry to the Council Chambers. Regular Meetings of the Elected Body are webcast and archived on the City's website www.nationalcityca.gov.

PUBLIC COMMENTS: Prior to the Business portion of the agenda, the Elected Body will receive public comments regarding any matters within the jurisdiction of the City and/or the Community Development Commission. Members of the public may also address any item on the agenda at the time the item is considered by the Elected Body. Persons who wish to address the Elected Body are requested to fill out a "Request to Speak" form available at the entrance to the City Council Chambers, and turn in the completed form to the City Clerk. The Mayor or Chairperson will separately call for testimony of those persons who have turned in a "Request to Speak" form. If you wish to speak, please step to the podium at the appropriate time and state your name and address (optional) for the record. The time limit established for public testimony is three minutes per speaker unless a different time limit is announced. Speakers are encouraged to be brief. The Mayor or Chairperson may limit the length of comments due to the number of persons wishing to speak or if comments become repetitious or irrelevant.

**1243 National City Blvd.
National City
619-336-4240**

**Meeting agendas and
minutes available on web**

WWW.NATIONALCITYCA.GOV

WRITTEN AGENDA: With limited exceptions, the Elected Body may take action only upon items appearing on the written agenda. Items not appearing on the agenda must be brought back on a subsequent agenda unless they are of a demonstrated emergency or urgent nature, and the need to take action on such items arose after the agenda was posted.

CONSENT CALENDAR: Consent calendar items involve matters which are of a routine or noncontroversial nature. All consent items are adopted by approval of a single motion by the City Council. Prior to such approval, any item may be removed from the consent portion of

the agenda and separately considered upon request of a Councilmember, a staff member, or a member of the public.

Upon request, this agenda can be made available in appropriate alternative formats to persons with a disability in compliance with the Americans with Disabilities Act. Please contact the City Clerk's Office at (619) 336-4228 to request a disability-related modification or accommodation. Notification 24-hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Spanish audio interpretation is provided during Elected Body Meetings. Audio headphones are available in the lobby at the beginning of the meeting.

Audio interpretación en español se proporciona durante sesiones del Consejo Municipal. Los audífonos están disponibles en el pasillo al principio de la junta.

Spanish to English interpretation services are available to members of the public who wish to speak to the City Council during the meeting. "Request to Speak" forms requesting interpretation must be filed within the first two hours of the meeting.

Español a los servicios de interpretación Inglés de audio está disponibles para los miembros del público que desean hablar con el Ayuntamiento durante del Consejo Municipal. "Solicitud para hablar de" formas solicitud de interpretación deben ser presentadas dentro de las dos primeras horas del Consejo Municipal.

COUNCIL REQUESTS THAT ALL CELL PHONES AND PAGERS BE TURNED OFF DURING CITY COUNCIL MEETINGS.

OPEN TO THE PUBLIC

A. CITY COUNCIL

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE TO THE FLAG

PUBLIC COMMENTS (THREE-MINUTE TIME LIMIT)

PROCLAMATIONS

AWARDS AND RECOGNITIONS

1. [Employee of the Quarter 2018 - Dora Gallegos, Accounting Assistant \(Finance\)](#)

PRESENTATIONS

2. [Electric Vehicle Charging Stations for National City Employees Funded by San Diego Gas & Electric's "Power Your Drive Program". \(Lianna Rios, Electric Vehicle Customer Solutions Manager\) \(Engineering/Public Works\)](#)
3. [City of National City Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2017. \(Finance\)](#)
4. [City of National City Single Audit Report on Federal Awards for the Fiscal Year Ended June 30, 2017. \(Finance\)](#)

INTERVIEWS / APPOINTMENTS

CONSENT CALENDAR

5. [Motion of the City Council of the City of National City approving the waiving of the reading of the text of the Ordinances considered at this meeting and providing that such Ordinances shall be introduced and/or adopted after a reading of the title only. \(City Clerk\)](#)
6. [Resolution of the City Council of the City of National City, 1\) awarding a contract to Tri-Group Construction and Development, Inc. in the not-to-exceed amount of \\$2,396,007.00 for the Citywide Traffic Signal Upgrades Project, CIP No. 17-10; 2\) authorizing a 15% contingency in the amount of \\$359,401.05 for any unforeseen changes; and 3\) authorizing the Mayor to execute the contract. \(Engineering/Public Works\)](#)

7. [Resolution of the City Council of the City of National City 1\) approving the adoption of the Public Agencies Post-Employment Benefits Trust plan administered by Public Agency Retirement Services to prefund the City's unfunded pension liabilities; 2\) appointing the City Manager as the administrator of the plan, and 3\) authorizing the plan administrator to execute the documents necessary to implement the plan. \(Finance\)](#)
8. [Resolution of the City Council of the City of National City approving an amendment to the salary schedule of the Management employee group to change the title of the existing Management Information Systems Manager. \(Human Resources\)](#)
9. [Resolution of the City Council of the City of National City amending the addendum to Rule II, Section 206A of the Civil Service Rules to allow for a career advanceable progression from Payroll Technician I to Payroll Technician II. \(Human Resources\)](#)
10. [Resolution of the City Council of the City of National City approving an amendment to the salary schedule for the Confidential employee group to add the newly created classification of Payroll Technician I at \\$3,446.92 - \\$4,189.74 per month \(range c082\); and change the titles of the existing Payroll Technician, Management Information Systems Technician I and Management Information Systems Technician II classifications. \(Human Resources\)](#)
11. [Resolution of the City Council of the City of National City authorizing 1\) The acceptance of the FY 2017/2018 San Diego County Law Enforcement Foundation Grant and 2\) The establishment of a Police Department grants fund appropriation and corresponding revenue budget of \\$2715.30 for the purchase of nine red carrier vests for the National City Police Department Range Staff. \(Police\)](#)
12. [Temporary Use Permit - Kidz Fest Community Easter Egg Hunt sponsored by Cornerstone Church of San Diego at 1914 Sweetwater Road on March 31, 2018 from 10 a.m. to 2 p.m. with no waiver of fees. \(Neighborhood Services\)](#)
13. [Temporary Use Permit - Halloween retail tent store hosted by Halloween Express at Westfield Plaza Bonita Mall from August 15, 2018 thru November 10, 2018 with no waiver of fees. \(Neighborhood Services\)](#)
14. [Investment transactions for the month ended January 31, 2018. \(Finance\)](#)
15. [Warrant Register #32 for the period of 01/31/18 through 02/06/18 in the amount of \\$1,302,905.92. \(Finance\)](#)

16. [Warrant Register #33 for the period of 02/07/18 through 02/13/18 in the amount of \\$1,696,612.61. \(Finance\)](#)

PUBLIC HEARINGS: ORDINANCES AND RESOLUTIONS

17. Public Hearing No. 1 of 2 for the U.S Department of Housing and Urban Development (HUD) 2018-2019 Annual Action Plan and the allocation of 2018-2019 HUD entitlement grant funds, program income, and funds remaining from completed projects to Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Program activities proposed for 2018-2019 Annual Action Plan. (Housing & Economic Development)
18. [Public Hearing and Introduction of an Ordinance of the City Council of the City of National City amending Chapter 10.43 of the National City Municipal Code concerning alcohol and illegal drug offenses by minors and juveniles. Public Hearing and Introduction of an Ordinance of the City Council of the City of National City amending Chapter 10.43 of the National City Municipal Code concerning alcohol and illegal drug offenses by minors and juvenilesPublic Hearing and Introduction of an Ordinance of the City Council of the City of National City amending Chapter 10.43 of the National City Municipal Code concerning alcohol and illegal drug offenses by minors and juveniles. \(City Attorney\)](#)

NON CONSENT RESOLUTIONS

19. [Resolution of the City Council of the City of National City authorizing the Mayor to execute two separate Real Property License Agreements with San Diego Gas & Electric Company \(SDG&E\) for the installation of eight Electric Vehicle Charging Stations, associated equipment and infrastructure at City Hall \(located at 1243 National City Boulevard\) and four Electric Vehicle Charging Stations, associated equipment and infrastructure at Public Works Yard \(located at 1726 Wilson Avenue\) for use by City employees as part of SDG&E's "Power Your Drive" Program. \(Engineering/Public Works\)](#)
20. [Resolution of the City Council of the City of National City approving an amendment to the Fiscal Year 2018 salary schedule for the Executive employee group to reflect the City Manager's salary adjustment to \\$18,656 per month, effective January 27, 2018 in accordance with the terms of her City Council approved employment contract as adopted on September 1, 2015. \(Human Resources\)](#)

NEW BUSINESS

21. [Notice of Decision – Planning Commission approval of a Conditional Use Permit and Coastal Development Permit for a gas station and](#)

[convenience store with beer and wine sales to be located at 724 Civic Center Drive in the Coastal Zone. \(Applicant: Stosh Podeswik\) \(Case File 2017-03 CUP, CDP\) \(Planning\)](#)

22. [Notice of Decision – Planning Commission approval of a Zone Variance to waive the minimum street wall requirement for a multi-family development located at 1628 Orange Street. \(Applicant: Keith Robinson\) \(Case File 2017-27 Z\) \(Planning\)](#)

B. COMMUNITY DEVELOPMENT COMMISSION - HOUSING AUTHORITY

CONSENT RESOLUTIONS - HOUSING AUTHORITY

PUBLIC HEARINGS: RESOLUTIONS - HOUSING AUTHORITY

NON CONSENT RESOLUTIONS - HOUSING AUTHORITY

NEW BUSINESS - HOUSING AUTHORITY

C. REPORTS

STAFF REPORTS

MAYOR AND CITY COUNCIL

CLOSED SESSION REPORT

ADJOURNMENT

Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City - Tuesday - April 3, 2018 - 6:00 p.m. - Council Chambers - National City, California.

Budget Schedule - FY 2019

Tuesday, May 8, 2018, 5:00 p.m. - Budget Workshop / Preliminary Budget Presentation

Tuesday, May 29, 2018, 5:00 p.m. - Budget Workshop

Tuesday, June 12, 2018, 6:00 p.m. - Budget Hearing / Adoption

Upcoming Special Meetings

Monday, March 26, 4:00 p.m. - Housing Workshop

Tuesday, April 3, 4:00 p.m. - CIP Needs Assessment Workshop

Tuesday, April 17, 4:00 p.m. - Homeless Outreach Workshop

The following page(s) contain the backup material for Agenda Item: Employee of the Quarter 2018 - Dora Gallegos, Accounting Assistant (Finance)



CITY OF NATIONAL CITY
M E M O R A N D U M

DATE: March 1, 2018

TO: Leslie Deese, City Manager

FROM: Stacey Stevenson, Deputy City Manager

SUBJECT: EMPLOYEE OF THE QUARTER PROGRAM

The Employee Recognition Program communicates the City's appreciation for outstanding performance. In doing so, it recognizes employees who maintain high standards of personal conduct and make significant contributions to the workplace and community.

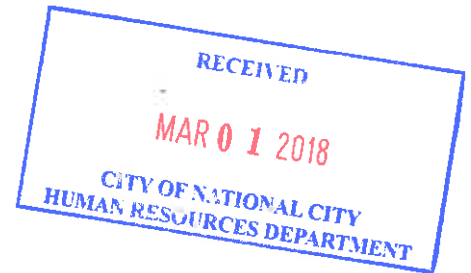
The employee to be recognized for the 1st Quarter of calendar year 2018 is:

Dora Gallegos – Accounting Assistant

By copy of this memo, the employee is invited to attend the Council meeting on Tuesday, March 20th to be recognized for her achievement and service.

Attachment

cc: Dora Gallegos
Mark Roberts – Director of Finance
Josie Flores-Clark – Executive Assistant
Human Resources – Office File



Performance Recognition Award Nomination Form

I nominate Dora Gallegos

for the Performance Recognition Award for the following reasons:

Please state reason why your nominee should receive an award, (i.e., examples of service beyond requirements of position, exemplary service to the public, outstanding job performance, etc.). Do not exceed 150 total words. Please be as specific as possible when giving your examples.

"Other duties as needed."

Dora Gallegos has always unselfishly stepped up to assist others when needed, whether it be serving as a backup for processing invoices, filling in at Finance's front counter to assist customers when regular front counter staff was absent, or lending a hand any other time someone needed help. And when asked to learn to process payroll, to ensure a backup was available to perform that important work if needed, Dora volunteered without a second thought.

So when the Payroll Technician position became vacant on short notice, Dora was ready to step in, as she always has, putting in whatever time and effort was needed, to ensure the hard-working employees of the City of National City got paid accurately and on time.

For always going above and beyond and for, essentially, making "other duties as needed" her motto,

I nominate Dora Gallegos for the City of National City's Performance Recognition Award.

FORWARD COMPLETED NOMINATION TO:

National City Performance Recognition Program
Human Resources Department

Nominated by: Mark Roberts

Signature: Mark Roberts

Date: 3/1/18

The following page(s) contain the backup material for Agenda Item: Electric Vehicle Charging Stations for National City Employees Funded by San Diego Gas & Electric's "Power Your Drive Program". (Lianna Rios, Electric Vehicle Customer Solutions Manager) (Engineering/Public Works)

Item ____

3/20/2018

ELECTRIC VEHICLE CHARGING STATIONS FOR NATIONAL CITY EMPLOYEES
FUNDED BY SAN DIEGO GAS & ELECTRIC'S "POWER YOUR DRIVE PROGRAM"
LIANNA RIOS, ELECTRIC VEHICLE CUSTOMER SOLUTIONS MANAGER
(ENGINEERING/PUBLIC WORKS)

The following page(s) contain the backup material for Agenda Item: City of National City Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2017. (Finance)

CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

MEETING DATE: March 20, 2018

AGENDA ITEM NO.

ITEM TITLE:

City of National City Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2017.

PREPARED BY: Javier Carcamo, Financial Services Officer

DEPARTMENT: Finance

PHONE: (619) 336-4331

APPROVED BY: _____

EXPLANATION:

Transmitted herewith is the City of National City's Comprehensive Annual Financial Report for the fiscal year ended June 30, 2017, prepared by the City's external auditors, The Pun Group, LLP.

The report includes all agencies under the control of the City Council, as well as the Successor Agency to the Community Development Commission as the National City Redevelopment Agency.

The auditors have conducted their examination of the financial statements in accordance with generally accepted auditing standards and expressed an unmodified ("clean") opinion of those statements.

FINANCIAL STATEMENT:

APPROVED: Mark Ralento **Finance**

ACCOUNT NO.

APPROVED: _____ **MIS**

NA

ENVIRONMENTAL REVIEW:

This is not a project and, therefore, not subject to environmental review.

ORDINANCE: **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

STAFF RECOMMENDATION:

Accept and file the City of National City Comprehensive Annual Financial Report for the Fiscal Year ended June 30, 2017.

BOARD / COMMISSION RECOMMENDATION:

ATTACHMENTS:

The Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2017 is available on the City's website.

Hard copies are available in the City Clerk's Office and the City Library.

The following page(s) contain the backup material for Agenda Item: City of National City Single Audit Report on Federal Awards for the Fiscal Year Ended June 30, 2017. (Finance)

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: March 20, 2018

AGENDA ITEM NO.

ITEM TITLE:

City of National City Single Audit Report on Federal Awards for the Fiscal Year Ended June 30, 2017.

PREPARED BY: Javier Carcamo, Financial Services Officer

DEPARTMENT: Finance

PHONE: (619) 336-4331

APPROVED BY: _____

EXPLANATION:

Transmitted herewith is the City of National City's Single Audit Report on Federal Awards for the fiscal year ended June 30, 2017, prepared by the City's external auditors, The Pun Group, LLP

The report includes all agencies under the control of the City Council.

The auditors have conducted their examination of the financial statements in accordance with generally accepted auditing standards and expressed an unmodified ("clean") opinion of those statements.

FINANCIAL STATEMENT:

APPROVED: Mardi Ralento Finance

ACCOUNT NO.

APPROVED: _____ MIS

NA

ENVIRONMENTAL REVIEW:

This is not a project and, therefore, not subject to environmental review.

ORDINANCE: INTRODUCTION: ☐ FINAL ADOPTION: ☐

STAFF RECOMMENDATION:

Accept and file the City of National City Single Audit Report on Federal Awards for the Fiscal Year ended June 30, 2017.

BOARD / COMMISSION RECOMMENDATION:

ATTACHMENTS:

The Single Audit Report on Federal Awards for the Fiscal Year Ended June 30, 2017 is available on the City's website.

Hard copies are available in the City Clerk's Office and the City Library.

The following page(s) contain the backup material for Agenda Item: Motion of the City Council of the City of National City approving the waiving of the reading of the text of the Ordinances considered at this meeting and providing that such Ordinances shall be introduced and/or adopted after a reading of the title only. (City Clerk)

Item # ____
03/20/18

**MOTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL
CITY APPROVING THE WAIVING OF THE READING OF THE
TEXT OF THE ORDINANCES CONSIDERED AT THIS MEETING
AND PROVIDING THAT SUCH ORDINANCES SHALL BE
INTRODUCED AND/OR ADOPTED AFTER A READING
OF THE TITLE ONLY.**

(City Clerk)

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City, 1) awarding a contract to Tri-Group Construction and Development, Inc. in the not-to-exceed amount of \$2,396,007.00 for the Citywide Traffic Signal Upgrades Project, CIP No. 17-10; 2) authorizin

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: March 20, 2018

AGENDA ITEM NO.

ITEM TITLE:

Resolution of the City Council of the City of National City, 1) awarding a contract to Tri-Group Construction and Development, Inc. in the not-to-exceed amount of \$2,396,007.00 for the Citywide Traffic Signal Upgrades Project, CIP No. 17-10; 2) authorizing a 15% contingency in the amount of \$359,401.05 for any unforeseen changes; and 3) authorizing the Mayor to execute the contract.

PREPARED BY: Jose Lopez, Assistant Engineer - Civil

PHONE: 619-336-4312

DEPARTMENT: Engineering/Public Works

APPROVED BY: 

EXPLANATION:

See attached.

FINANCIAL STATEMENT:

ACCOUNT NO.

See attached.

APPROVED: _____ **Finance**

APPROVED: _____ **MIS**

ENVIRONMENTAL REVIEW:

Caltrans Determination of Categorical Exclusion under 23 CFR 771.117 was approved March 23, 2015, and revalidated January 12, 2017.

ORDINANCE: ☐ **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

STAFF RECOMMENDATION:

Adopt Resolution awarding a contract to Tri-Group Construction and Development, Inc. in the not-to-exceed amount of \$2,396,007.00 for the Citywide Traffic Signal Upgrades Project, CIP No. 17-10.

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

1. Explanation w/ Financial Statement
2. Bid Opening Summary
3. Three Lowest Bidders Summary
4. Resolution

EXPLANATION

The Citywide Traffic Signal Upgrades project consists of four separate projects funded by the Highway Safety Improvement Program (HSIP). The projects were combined into one large contract in an effort to achieve more competitive unit pricing based on economies of scale as the scope of work of each project involves traffic signal improvements. A brief scope of work for each project is provided below.

The Highland Avenue Traffic Signal Modifications Project includes the following safety enhancements:

- 1) Replace the existing left-turn phases and signal heads with protected left-turn phases and signal heads on existing and/or new poles and mast arms at the following intersections:
 - Highland Avenue & E. 4th Street
 - Highland Avenue & Wal-Mart Driveway
 - Highland Avenue & E. 16th Street
 - Highland Avenue & E. 18th Street
 - Highland Avenue & E. 21st Street
 - Highland Avenue & E. 24th Street

The project will also install new controller cabinets, vehicle detection loops, traffic signal poles, and Americans with Disabilities Act (ADA) enhancements

The Highland Avenue and E. 28th Street Traffic Signal Improvements Project includes the following safety enhancements:

- 2) Install four new signal poles with protected left-turn phasing at the Highland Avenue and E. 28th Street intersection, new controller cabinet on the southwest corner of the intersection, install new loops for vehicle detection, fiber communications, and new pedestrian countdown signal heads.

The Citywide Traffic Signal and ADA Improvements Project includes installing pedestrian crosswalk striping, Americans with Disabilities Act (ADA) enhancements and traffic signal equipment at the following 7 intersections:

- Palm Avenue & E. 4th Street
- Palm Avenue & Division Street
- "D" Avenue & E. 18th Street
- "D" Avenue & E. 24th Street
- Euclid Avenue & Division Street
- National City Blvd & 16th Street
- 2nd Ave & Sweetwater Road

The **Fiber Optic Traffic Signal Interconnect Expansion Project** will install a fiber optic interconnect system along four corridors within the City. The corridors are as follows:

- National City Blvd between E. 1st Street and E. 30th Street
- E. Plaza Blvd between National City Blvd and S. Harbison Avenue
- Euclid Avenue between E. Plaza Blvd and E. 24th Street
- E. 30th Street/Sweetwater Road between National City Blvd and Plaza Bonita Centerway

The majority of the installations will occur within existing conduit. The project will also upgrade the existing communications infrastructure equipment (i.e. new switches, fiber patch panels, battery back-up systems, fiber splice enclosures) along the corridors.

On February 2, 2018, the bid solicitation was posted on PlanetBids, a free public electronic bidding system for contractors. On February 6, 2018 and February 12, 2018, the bid solicitation was advertised in local newspapers.

On March 1, 2018, seven (7) bids were received by the 2:00 p.m. deadline, opened and publicly disclosed. Bid results were available by the end of the business day, March 1, 2018. Tri-Group Construction and Development, Inc. was the apparent lowest bidder with a total bid amount of \$2,396,007.00 as the basis of award. Upon review of all documents submitted, Tri-Group Construction and Development, Inc.'s bid was deemed responsive.

Therefore, staff recommends awarding a contract to Tri-Group Construction and Development, Inc. in the not-to-exceed amount of \$2,396,007.00. Staff also recommends authorizing a 15% contingency in the amount of \$359,401.05 to address any unforeseen conditions that may arise.

Attached are the bid opening summary sheet and a line item summary of the three lowest bidders for reference. Construction is estimated to be completed in spring 2019. Updates will be provided on the City's CIP website at: nationalcityprojects.com.

Financial Statement

Highland Avenue Traffic Signal Modifications Project - \$ 580,203

Revenue Account No. 296-06042-3463

Expenditure Account No. 296-409-500-598-6042 (Traffic Safety Enhancements)

Local Match - \$64,467

Expenditure Account No. 307-409-500-598-6558 (Traffic Signal Upgrades)

Local match appropriated through FY 2018 CIP budget

Highland Avenue and E. 28th Street Traffic Signal Improvements Project - \$154,000

Revenue Account No. 296-06041-3498

Expenditure Account No. 296-409-500-598-6041

Local Match - \$131,100

Expenditure Account No. 307-409-500-598-6558 (Traffic Signal Upgrades)

Local match appropriated through FY 2018 CIP budget

Citywide Traffic Signal and ADA Improvements Project - \$677,470.50

Revenue Account No. 296-06043-3498

Expenditure Account No. 296-409-500-598-6043

Local Match - \$75,274.50

Expenditure Account No. 307-409-500-598-6558 (Traffic Signal Upgrades)

Local match appropriated through FY 2018 CIP budget

Fiber Optic Traffic Signal Interconnect Expansion - \$501,400

Revenue Account No. 296-06040-3498

Expenditure Account No. 296-409-500-598-6040

Local Match - \$212,092

Expenditure Account No. 307-409-500-598-6558 (Traffic Signal Upgrades)

Local match appropriated through FY 2018 CIP budget

15% Contingency (Funds available through prior City Council appropriations)

Highland Avenue Traffic Signal Modifications Project - \$84,630

Revenue Account No. 296-06042-3463

Expenditure Account No. 296-409-500-598-6042 (Traffic Safety Enhancements)

Citywide Traffic Signal and ADA Improvements Project - \$57,905

Revenue Account No. 296-06043-3498

Expenditure Account No. 296-409-500-598-6043

Expenditure Account No. 307-409-500-598-6558 (Traffic Signal Upgrades) - \$216,866.05

Notes:

1. Fund 296 (Engineering Grants) - funds available through prior City Council Appropriations.
2. Fund 307 (TransNet Prop A) - funds will be available in FY 2019 through adoption of the 2018 Regional Transportation Improvement Program (RTIP); sufficient budget is available through Fund 296 to cover project expenditures through the end of FY 2018.



BID OPENING RESULTS

NAME: CITYWIDE TRAFFIC SIGNAL UPGRADES (HSIP)
CIP NO: 17-10
DATE: Thursday, March 1, 2018
TIME: 2:00 P.M.
ESTIMATE: \$2,500,000
PROJECT ENGINEER: Stephen Manganiello

NO.	BIDDER'S NAME	BID AMOUNT	ADDENDA #1,2,3	BID SECURITY - BOND
1.	Tri Group Construction 9580 Black Mountain Rd. Ste. L San Diego, CA 92126	\$2,396,007.00**	Yes	Bond
2.	DBX, Inc. 42024 Avenida Alvarado, Ste. A Temecula, CA 92590	\$2,450,170.00	Yes	Bond
3.	HMS Construction, Inc. 2885 Scott Street Vista, CA 92081	\$2,843,600.00	Yes	Bond
4.	ILB Electric 2520 Rubidoux Blvd Riverside, CA 92509	\$2,855,007.00	Yes	Bond
5.	PTM General Engineering Services, Inc. 5942 Acorn Street Riverside, CA 92504	\$3,031,194.00**	Yes	Bond
6.	Portillo Concrete, Inc. 3527 Citrus St Lemon Grove, CA 91945	\$3,125,620.00	Yes	Bond
7.	Wier Construction Corporation 16884 Old Survey Road Escondido, CA 92025	\$3,296,204.60	Yes	Bond

* If an additive, alternate or additive/alternate bid items are called for in the Contract Documents, the sum of the base bid and all additive, alternate and additive/alternate bids, if any, shall be used to determine the lowest responsive bid.

** Final Bid amount changed based on review of "Quantity x Unit Price" for individual line items of work

Bid Results for the Citywide Traffic Signal Upgrades Project, CIP No. 17-10										
				Tri Group Construction		DBX, Inc.		PTM General Engineering Services, Inc.		
Item No.	Item Description (S) Indicates Specialty Item	Unit	Qty.	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)	
Base Bid - Highland Avenue Traffic Signal Modifications (HSIPL-5066(027))										
1	Field Splices (S)	LS	1	\$4,600.00	\$4,600.00	\$300.00	\$300.00	\$1,210.00	\$1,210.00	
2	Mobilization	LS	1	\$21,000.00	\$21,000.00	\$8,000.00	\$8,000.00	\$25,000.00	\$25,000.00	
3	Surveying and Construction Staking (S)	LS	1	\$10,000.00	\$10,000.00	\$3,500.00	\$3,500.00	\$1,100.00	\$1,100.00	
4	Clearing and Grubbing	LS	1	\$18,000.00	\$18,000.00	\$2,500.00	\$2,500.00	\$880.00	\$880.00	
5	Traffic Control	LS	1	\$25,000.00	\$25,000.00	\$13,000.00	\$13,000.00	\$16,300.00	\$16,300.00	
6	Water Pollution Control	LS	1	\$5,000.00	\$5,000.00	\$3,000.00	\$3,000.00	\$1,500.00	\$1,500.00	
7	Signing and Striping (S)	LS	1	\$12,000.00	\$12,000.00	\$11,900.00	\$11,900.00	\$12,000.00	\$12,000.00	
8	Remove Existing Components Per Plan (S)	LS	1	\$3,500.00	\$3,500.00	\$2,500.00	\$2,500.00	\$10,000.00	\$10,000.00	
9	Furnish and Install New 332L Cabinet and Foundation Complete (S)	LS	1	\$18,500.00	\$18,500.00	\$23,000.00	\$23,000.00	\$16,000.00	\$16,000.00	
10	Furnish and Install New Type 111-B Dual Meter Service Pedestal (Anodized Aluminum Cabinet and Foundation as Specified by Caltrans Standard Plan ES-2C and ES-2E) (S)	LS	1	\$5,500.00	\$5,500.00	\$4,500.00	\$4,500.00	\$8,000.00	\$8,000.00	
11	Furnish and Install New 2070 ATC Controller (S)	EA	6	\$5,700.00	\$34,200.00	\$4,900.00	\$29,400.00	\$7,000.00	\$42,000.00	

Item No.	Item Description (S) Indicates Specialty Item	Unit	Qty.	Tri Group Construction		DBX, Inc.		PTM General Engineering Services, Inc.	
				Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)
12	Furnish and Install New Layer 2 Ethernet Switch with 2-Dual Fiber/Transceiver Ports. Include Necessary Patch Cords (S)	EA	6	\$1,950.00	\$11,700.00	\$2,760.00	\$16,560.00	\$2,145.00	\$12,870.00
13	Furnish and Install Ethernet Conflict Monitor (S)	EA	6	\$850.00	\$5,100.00	\$850.00	\$5,100.00	\$800.00	\$4,800.00
14	Furnish and Install New Loop Detector Cards (S)	EA	58	\$375.00	\$21,750.00	\$290.00	\$16,820.00	\$350.00	\$20,300.00
15	Furnish and Install new GPS EVPE System including Radio, Cables, and Discriminator Card (S)	EA	2	\$11,500.00	\$23,000.00	\$9,800.00	\$19,600.00	\$11,000.00	\$22,000.00
16	Furnish and Install New APS Push Button System (S)	EA	6	\$8,500.00	\$51,000.00	\$8,990.00	\$53,940.00	\$9,500.00	\$57,000.00
17	Furnish and Install New Type 1 to Type 2 332 Cabinet PDA Conversion.(S)	EA	1	\$600.00	\$600.00	\$550.00	\$550.00	\$600.00	\$600.00
18	Furnish and Install 2" PVC Conduit (S)	LF	950	\$35.00	\$33,250.00	\$34.00	\$32,300.00	\$28.00	\$26,600.00
19	Furnish and Install 3" PVC Conduit (S)	LF	460	\$37.00	\$17,020.00	\$53.00	\$24,380.00	\$32.00	\$14,720.00
20	Furnish and Install New Loop Stub Out (S)	EA	2	\$500.00	\$1,000.00	\$1,500.00	\$3,000.00	\$850.00	\$1,700.00
21	Relocate GPS Radio to New Pole (S)	LS	1	\$1,500.00	\$1,500.00	\$1,800.00	\$1,800.00	\$3,000.00	\$3,000.00
22	Relocate Existing EVPE Detectors to New Poles (S)	EA	9	\$350.00	\$3,150.00	\$900.00	\$8,100.00	\$450.00	\$4,050.00

Item No.	Item Description (S) Indicates Specialty Item	Unit	Qty.	Tri Group Construction		DBX, Inc.		PTM General Engineering Services, Inc.	
				Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)
23	Relocate Existing Fiber Patch Panel into New Cabinet and Provide New Fiber Jumpers (S)	LS	1	\$1,100.00	\$1,100.00	\$340.00	\$340.00	\$1,210.00	\$1,210.00
24	Furnish and Install #5 Pull Box	EA	11	\$600.00	\$6,600.00	\$650.00	\$7,150.00	\$700.00	\$7,700.00
25	Furnish and Install #6 Pull Box	EA	2	\$700.00	\$1,400.00	\$800.00	\$1,600.00	\$800.00	\$1,600.00
26	Furnish and Install #6 Pull Box with Extension over Existing Conduits (S)	EA	1	\$1,000.00	\$1,000.00	\$950.00	\$950.00	\$1,600.00	\$1,600.00
27	Furnish and Install New Steel Lid on Existing #5 Pull Box	EA	1	\$400.00	\$400.00	\$500.00	\$500.00	\$1,200.00	\$1,200.00
28	Furnish and Install New Pedestrian Push Button Pole. Install foundation complete per Caltrans ES-7A Detail B (S)	EA	2	\$1,850.00	\$3,700.00	\$500.00	\$1,000.00	\$1,400.00	\$2,800.00
29	Relocate Existing Pedestrian Count Down Modules (S)	EA	12	\$75.00	\$900.00	\$75.00	\$900.00	\$50.00	\$600.00
30	Furnish and Install New Countdown Timer Pedestrian Head (S)	EA	20	\$250.00	\$5,000.00	\$250.00	\$5,000.00	\$450.00	\$9,000.00
31	Remove and Salvage Existing Vehicle Head (S)	EA	26	\$150.00	\$3,900.00	\$100.00	\$2,600.00	\$20.00	\$520.00
32	Furnish and Install New LED 3-Section Vehicle Head (S)	EA	15	\$450.00	\$6,750.00	\$450.00	\$6,750.00	\$400.00	\$6,000.00

Item No.	Item Description (S) Indicates Specialty Item	Unit	Qty.	Tri Group Construction		DBX, Inc.		PTM General Engineering Services, Inc.	
				Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)
33	Furnish and Install New LED 3-Section Programmable Visibility (PV) Vehicle Head (S)	EA	2	\$2,750.00	\$5,500.00	\$2,400.00	\$4,800.00	\$2,500.00	\$5,000.00
34	Furnish and Install New LED 5-Section Vehicle Head (Dog-House) w/ bracketing (S)	EA	20	\$850.00	\$17,000.00	\$650.00	\$13,000.00	\$1,000.00	\$20,000.00
35	Furnish and Install New LED 5-Section Vehicle Head w/bracketing (S)	EA	20	\$925.00	\$18,500.00	\$750.00	\$15,000.00	\$1,100.00	\$22,000.00
36	Furnish and Install 19-3-100 Pole (30' Ht.), 25' Sig MA, 15' Lum MA w/ LED Fixture, Retroreflective Street Name Sign. Install Foundation Complete (S)	EA	1	\$15,000.00	\$15,000.00	\$22,000.00	\$22,000.00	\$23,000.00	\$23,000.00
37	Furnish and Install 19-3-100 Pole (30' Ht.), 30' Sig MA, 15' Lum MA w/ LED Fixture, Retroreflective Street Name Sign. Install Foundation Complete (S)	EA	1	\$15,500.00	\$15,500.00	\$23,000.00	\$23,000.00	\$24,000.00	\$24,000.00
38	Furnish and Install 19-4-100 Pole (30' Ht.), 25' Sig MA, 15' Lum MA w/ LED Fixture, Retroreflective Street Name Sign. Install Foundation Complete (S)	EA	1	\$15,000.00	\$15,000.00	\$22,000.00	\$22,000.00	\$23,000.00	\$23,000.00
39	Furnish and Install 24-4-100 Pole (30' Ht.), 35' Sig MA, 15' Lum MA w/ LED Fixture. Install Foundation Complete (S)	EA	2	\$16,500.00	\$33,000.00	\$22,000.00	\$44,000.00	\$25,000.00	\$50,000.00
40	Furnish and Install 24-4-100 Pole (30' Ht.), 35' Sig MA, 15' Lum MA w/ LED Fixture, Retroreflective Street Name Sign. Install Foundation Complete (S)	EA	1	\$17,000.00	\$17,000.00	\$24,000.00	\$24,000.00	\$26,000.00	\$26,000.00

Item No.	Item Description (S) Indicates Specialty Item	Unit	Qty.	Tri Group Construction		DBX, Inc.		PTM General Engineering Services, Inc.	
				Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)
41	Furnish and Install 26-4-100 Pole (30' Ht.), 40' Sig MA, 15' Lum MA w/ LED Fixture, Retroreflective Street Name Sign. Install Foundation Complete (S)	EA	2	\$18,750.00	\$37,500.00	\$30,000.00	\$60,000.00	\$27,000.00	\$54,000.00
42	Remove and Salvage Existing Luminaire Fixture & Install New LED Fixture (S)	EA	10	\$900.00	\$9,000.00	\$900.00	\$9,000.00	\$1,200.00	\$12,000.00
43	Furnish and Install New 6' diameter Modified type E induction loops (S)	EA	85	\$450.00	\$38,250.00	\$350.00	\$29,750.00	\$400.00	\$34,000.00
44	Remove and Salvage Existing Mast Arm Mounted Sign (S)	EA	14	\$50.00	\$700.00	\$75.00	\$1,050.00	\$25.00	\$350.00
45	Furnish and Install New Mast Arm Mounted Sign Per Plan (S)	EA	26	\$250.00	\$6,500.00	\$200.00	\$5,200.00	\$200.00	\$5,200.00
46	Construct New ADA Compliant Curb Ramps	EA	4	\$4,500.00	\$18,000.00	\$7,000.00	\$28,000.00	\$6,600.00	\$26,400.00
47	Relocate Existing Newspaper Vending Machines	LS	1	\$100.00	\$100.00	\$750.00	\$750.00	\$1,000.00	\$1,000.00
48	Furnish and Install Full Signal Re-Wire (S)	EA	2	\$10,500.00	\$21,000.00	\$25,000.00	\$50,000.00	\$10,000.00	\$20,000.00
49	Remove and Salvage Existing Pole and Equipment. Break down foundation complete (S)	EA	8	\$2,500.00	\$20,000.00	\$3,500.00	\$28,000.00	\$2,500.00	\$20,000.00
Highland Avenue Traffic Signal Modifications Base Bid Sub Total:					\$ 644,670.00		\$690,090.00		\$699,810.00

Base Bid - Highland Avenue and E. 28th Street Enhancements (HSIPL-5066(028))									
50	Field Splices (S)	LS	1	\$4,500.00	\$4,500.00	\$700.00	\$700.00	\$957.00	\$957.00
51	Mobilization	LS	1	\$10,000.00	\$10,000.00	\$3,000.00	\$3,000.00	\$10,000.00	\$10,000.00
52	Surveying and Construction Staking (S)	LS	1	\$5,000.00	\$5,000.00	\$3,500.00	\$3,500.00	\$2,750.00	\$2,750.00
53	Clearing and Grubbing	LS	1	\$49,000.00	\$49,000.00	\$1,500.00	\$1,500.00	\$880.00	\$880.00

					Tri Group Construction		DBX, Inc.		PTM General Engineering Services, Inc.	
Item No.	Item Description (S) Indicates Specialty Item	Unit	Qty.		Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)
54	Traffic Control	LS	1		\$10,000.00	\$10,000.00	\$6,000.00	\$6,000.00	\$10,000.00	\$10,000.00
55	Water Pollution Control	LS	1		\$5,000.00	\$5,000.00	\$1,500.00	\$1,500.00	\$1,000.00	\$1,000.00
56	Signing and Striping (S)	LS	1		\$10,000.00	\$10,000.00	\$9,523.00	\$9,523.00	\$9,000.00	\$9,000.00
57	Furnish and Install New 332L Cabinet and Foundation Complete, 2070 ATC Controller Unit with 2033 Program, Conflict Monitor with Ethernet Compatibility, New Loop Detector Cards, and New Fiber Switch with new Patch Cords (S)	LS	1		\$23,400.00	\$23,400.00	\$25,760.00	\$25,760.00	\$26,640.00	\$26,640.00
58	Furnish and Install New Intersection Re-Wiring (S)	LS	1		\$10,500.00	\$10,500.00	\$16,000.00	\$16,000.00	\$21,000.00	\$21,000.00
59	Furnish and Install New APS Push Button System (S)	LS	1		\$8,500.00	\$8,500.00	\$5,337.00	\$5,337.00	\$9,500.00	\$9,500.00
60	Furnish and Install 2" PVC Conduit (S)	LF	670		\$35.00	\$23,450.00	\$34.00	\$22,780.00	\$26.00	\$17,420.00
61	Furnish and Install 3" PVC Conduit (S)	LF	250		\$37.00	\$9,250.00	\$70.00	\$17,500.00	\$29.00	\$7,250.00
62	Furnish and Install 12-Strand Single Mode Fiber Optic Cable (S)	LF	400		\$2.25	\$900.00	\$1.64	\$656.00	\$2.50	\$1,000.00
63	Furnish and Install New Type III-B Dual Meter Service Pedestal (Anodized Aluminum Cabinet and Foundation as Specified by Caltrans Standard Plan ES-2C and ES-2E) (S)	LS	1		\$5,500.00	\$5,500.00	\$4,500.00	\$4,500.00	\$6,000.00	\$6,000.00
64	Furnish and Install Battery Backup System in a stand alone BBS Cabinet and foundation with combination bypass switch and generator assembly. System shall be ethernet compatible (S)	LS	1		\$6,500.00	\$6,500.00	\$4,200.00	\$4,200.00	\$5,000.00	\$5,000.00

Item No.	Item Description (S) Indicates Specialty Item	Unit	Qty.	Tri Group Construction		DBX, Inc.		PTM General Engineering Services, Inc.	
				Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)
65	Furnish and Install Emergency Vehicle Pre-emption detector assembly, 764 Phase Selectors, and GPS Radio (S)	LS	1	\$12,500.00	\$12,500.00	\$11,500.00	\$11,500.00	\$13,000.00	\$13,000.00
66	Remove and Salvage Existing Pole and Equipment. Break Down Foundation Complete (S)	LS	1	\$3,500.00	\$3,500.00	\$1,800.00	\$1,800.00	\$14,000.00	\$14,000.00
67	Furnish and Install New Mast Sign (S)	EA	3	\$200.00	\$600.00	\$150.00	\$450.00	\$200.00	\$600.00
68	Furnish and Install New 6' diameter Type E Induction Loops (S)	EA	20	\$450.00	\$9,000.00	\$350.00	\$7,000.00	\$320.00	\$6,400.00
69	Furnish and Install 96-Strand Splice Closure (S)	EA	1	\$1,100.00	\$1,100.00	\$806.00	\$806.00	\$1,210.00	\$1,210.00
70	Furnish and Install Fiber Distribution Unit, 12 Port Patch Panel, Splice Cassette and Cabinet Termination (S)	EA	1	\$1,500.00	\$1,500.00	\$874.00	\$874.00	\$1,645.00	\$1,645.00
71	Furnish and Install 27-4-100 Pole (17' Ht). 40' Sig MA and Equipment, including Vehicle Head, Pedestrian Countdown Head, and SNS. Install Foundation Complete (S)	EA	1	\$18,000.00	\$18,000.00	\$26,000.00	\$26,000.00	\$24,000.00	\$24,000.00
72	Furnish and Install 17-3-100 Pole (30' Ht). 15' Sig MA, 12' Lum MA w/ LED Luminaire, and Equipment, including Vehicle Head, Pedestrian Countdown Head, PPB, and SNS. Install Foundation Complete (S)	EA	1	\$17,000.00	\$17,000.00	\$25,993.00	\$25,993.00	\$23,000.00	\$23,000.00

Item No.	Item Description (S) Indicates Specialty Item	Unit	Qty.	Tri Group Construction		DBX, Inc.		PTM General Engineering Services, Inc.	
				Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)
73	Furnish and Install 17-3-100 Pole (30' Ht). 20' Sig MA, 12' Lum MA w/ LED Luminaire, and Equipment, including Vehicle Head, Pedestrian Countdown Head, PPB, and SNS. Install Foundation Complete (S)	EA	1	\$17,000.00	\$17,000.00	\$25,993.00	\$25,993.00	\$23,100.00	\$23,100.00
74	Furnish and Install 1-A pole and equipment, including Vehicle Head, Pedestrian Countdown Head, and PPB. Install Foundation Complete (S)	EA	1	\$2,800.00	\$2,800.00	\$3,500.00	\$3,500.00	\$3,000.00	\$3,000.00
75	Furnish and Install New LED 4-Section Vehicle Head w/bracketing (S)	EA	2	\$550.00	\$1,100.00	\$550.00	\$1,100.00	\$850.00	\$1,700.00
76	Furnish and Install #5 Pull Box	EA	9	\$800.00	\$7,200.00	\$650.00	\$5,850.00	\$500.00	\$4,500.00
77	Furnish and Install #6E Pull Box	EA	3	\$900.00	\$2,700.00	\$950.00	\$2,850.00	\$600.00	\$1,800.00
78	Install Type B-3 Median Curb Per SDRSD G-6 on Existing Asphalt Pavement	LF	70	\$90.00	\$6,300.00	\$85.00	\$5,950.00	\$88.00	\$6,160.00
79	Install 6" Concrete Median on Existing Pavement	SF	150	\$22.00	\$3,300.00	\$30.00	\$4,500.00	\$28.00	\$4,200.00
Highland Avenue and E. 28th Street Enhancements Base Bid Sub Total:					\$285,100.00		\$246,622.00		\$256,712.00

Base Bid - Citywide Traffic Signal and ADA Improvements (HS/PL-5066(029))									
80	Mobilization	LS	1	\$22,000.00	\$22,000.00	\$10,000.00	\$10,000.00	\$11,000.00	\$11,000.00
81	Clearing and Grubbing	LS	1	\$68,000.00	\$68,000.00	\$15,000.00	\$15,000.00	\$13,200.00	\$13,200.00
82	Unclassified Excavation	LS	1	\$5,000.00	\$5,000.00	\$52,000.00	\$52,000.00	\$53,900.00	\$53,900.00
83	Traffic Control	LS	1	\$20,000.00	\$20,000.00	\$35,000.00	\$35,000.00	\$30,300.00	\$30,300.00
84	Surveying and Construction Staking (S)	LS	1	\$10,000.00	\$10,000.00	\$7,500.00	\$7,500.00	\$5,500.00	\$5,500.00
85	Signing and Striping (S)	LS	1	\$44,000.00	\$44,000.00	\$44,000.00	\$44,000.00	\$9,000.00	\$9,000.00

Item No.	Item Description (S) Indicates Specialty Item	Unit	Qty.	Tri Group Construction		DBX, Inc.		PTM General Engineering Services, Inc.	
				Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)
86	Water Pollution Control	LS	1	\$5,000.00	\$5,000.00	\$6,500.00	\$6,500.00	\$1,500.00	\$1,500.00
87	Remove and Salvage Existing Safety Light Fixture (S)	EA	1	\$250.00	\$250.00	\$150.00	\$150.00	\$150.00	\$150.00
88	Remove and Salvage Existing Conflicting Cabinet Equipment per Plans (S)	EA	7	\$500.00	\$3,500.00	\$200.00	\$1,400.00	\$1,500.00	\$10,500.00
	Remove and Salvage Existing Signal Wire. Furnish and Install New Conductor Signal								
89	Cable (S)	LS	1	\$21,000.00	\$21,000.00	\$50,000.00	\$50,000.00	\$10,000.00	\$10,000.00
90	Remove and Salvage Existing Vehicle Head (S)	EA	14	\$250.00	\$3,500.00	\$100.00	\$1,400.00	\$150.00	\$2,100.00
91	Remove and Salvage Existing Pedestrian Head (S)	EA	17	\$150.00	\$2,550.00	\$50.00	\$850.00	\$100.00	\$1,700.00
92	Remove and Salvage Existing Pedestrian Push Buttons (S)	EA	36	\$100.00	\$3,600.00	\$25.00	\$900.00	\$150.00	\$5,400.00
	Remove Existing Striping or Pavement Markings per City Standards (S)	LS	1	\$1,500.00	\$1,500.00	\$4,200.00	\$4,200.00	\$14,000.00	\$14,000.00
93	Remove and Salvage Existing Pole and Equipment. Break foundation down 3' Below Grade (S)	EA	8	\$1,800.00	\$14,400.00	\$2,500.00	\$20,000.00	\$1,200.00	\$9,600.00
	Relocate Existing 1-A Pole and Equipment. Break existing foundation down 3' Below Grade. Install New Foundation for 1-A Pole per Caltrans ES-7B (S)	EA	2	\$2,000.00	\$4,000.00	\$900.00	\$1,800.00	\$2,500.00	\$5,000.00
95	Relocate Existing Sign to new poles (S)	EA	5	\$200.00	\$1,000.00	\$200.00	\$1,000.00	\$400.00	\$2,000.00
96	Relocate Existing Emergency Vehicle Preemption Detectors (S)	EA	6	\$200.00	\$1,200.00	\$250.00	\$1,500.00	\$500.00	\$3,000.00
97	Remove Existing Pullbox	EA	4	\$200.00	\$800.00	\$500.00	\$2,000.00	\$200.00	\$800.00

Item No.	Item Description (S) Indicates Specialty Item	Unit	Qty.	Tri Group Construction		DBX, Inc.		PTM General Engineering Services, Inc.	
				Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)
99	Adjust Fire Hydrant and Valve to Grade	LS	1	\$1,800.00	\$1,800.00	\$2,500.00	\$2,500.00	\$2,750.00	\$2,750.00
100	Furnish and Install New #5 Pull Box	EA	7	\$700.00	\$4,900.00	\$650.00	\$4,550.00	\$600.00	\$4,200.00
101	Furnish and Install New #6 Pull Box. Connect existing conduit to new conduit (S)	EA	3	\$900.00	\$2,700.00	\$800.00	\$2,400.00	\$800.00	\$2,400.00
102	Furnish and Install 3" PVC Conduit (S)	LF	740	\$38.00	\$28,120.00	\$70.00	\$51,800.00	\$32.00	\$23,680.00
103	Furnish and Install New Pedestrian Push Button Pole. Install foundation complete per Caltrans ES-7A Detail B (S)	EA	5	\$1,850.00	\$9,250.00	\$350.00	\$1,750.00	\$2,000.00	\$10,000.00
104	Furnish and Install New 6' Diameter Modified Type E Induction Loop. (S)	EA	34	\$450.00	\$15,300.00	\$350.00	\$11,900.00	\$350.00	\$11,900.00
105	Furnish and Install New LED Countdown Timer Pedestrian Head (S)	EA	46	\$250.00	\$11,500.00	\$211.00	\$9,706.00	\$400.00	\$18,400.00
106	Furnish and Install New ADA-Compliant 2" Pedestrian Push Buttons (S)	EA	16	\$150.00	\$2,400.00	\$110.00	\$1,760.00	\$200.00	\$3,200.00
107	Furnish and Install New APS Push Button System (S)	EA	8	\$8,500.00	\$68,000.00	\$7,100.00	\$56,800.00	\$9,500.00	\$76,000.00
108	Furnish and Install New 170E Serial to Ethernet Converter (S)	EA	1	\$250.00	\$250.00	\$250.00	\$250.00	\$300.00	\$300.00
109	Furnish and Install New 2070 ATC Controller with 2033 Program (S)	EA	3	\$5,700.00	\$17,100.00	\$5,305.00	\$15,915.00	\$6,000.00	\$18,000.00
110	Furnish and Install New Conflict Monitor with Ethernet Capability (S)	EA	4	\$850.00	\$3,400.00	\$930.00	\$3,720.00	\$800.00	\$3,200.00
111	Furnish and Install New Loop Detector Cards (S)	EA	47	\$375.00	\$17,625.00	\$295.00	\$13,865.00	\$400.00	\$18,800.00
112	Furnish and Install New LED 3 Section Vehicle Head (S)	EA	14	\$450.00	\$6,300.00	\$470.00	\$6,580.00	\$800.00	\$11,200.00

Item No.	Item Description (S) Indicates Specialty Item	Unit	Qty.	Tri Group Construction		DBX, Inc.		PTM General Engineering Services, Inc.	
				Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)
113	Furnish and Install New LED 3 Section Vehicle Head, Arrow Type (S)	EA	2	\$500.00	\$1,000.00	\$470.00	\$940.00	\$900.00	\$1,800.00
114	Furnish and Install New Emergency Vehicle Preemption Detector Assembly for Each Direction (18th/D and 24th/D) (S)	EA	2	\$7,200.00	\$14,400.00	\$7,200.00	\$14,400.00	\$8,000.00	\$16,000.00
115	Furnish and Install New Emergency Vehicle Preemption Detector Assembly for Northbound Direction (2nd/Sweetwater) (S)	LS	1	\$6,500.00	\$6,500.00	\$7,200.00	\$7,200.00	\$7,000.00	\$7,000.00
116	Furnish and Install 1-A pole and Foundation Complete (S)	EA	4	\$2,200.00	\$8,800.00	\$1,800.00	\$7,200.00	\$3,000.00	\$12,000.00
117	Furnish and Install 19-3-100 Pole (30' Ht.), 30' Sig MA, 15' Luminaire Mast Arm with LED Luminaire, and Equipment. Install Foundation Complete (S)	EA	1	\$15,500.00	\$15,500.00	\$27,595.00	\$27,595.00	\$19,000.00	\$19,000.00
118	Furnish and Install 19-3-100 Pole (30' Ht.), 25' Sig MA, 15' Luminaire Mast Arm with LED Luminaire, and Equipment. Install Foundation Complete (S)	EA	1	\$15,000.00	\$15,000.00	\$27,595.00	\$27,595.00	\$19,000.00	\$19,000.00
119	Furnish and Install 19-4-100 Signal Pole with 30' Mast Arm and Equipment, 15' Luminaire Mast Arm with LED Luminaire, and Equipment. Install Foundation Complete (S)	EA	1	\$15,750.00	\$15,750.00	\$27,595.00	\$27,595.00	\$19,000.00	\$19,000.00

Item No.	Item Description (S) Indicates Specialty Item	Unit	Qty.	Tri Group Construction		DBX, Inc.		PTM General Engineering Services, Inc.	
				Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)
120	Furnish and Install 24-4-100 Signal Pole with 40' Mast Arm, 15' Luminaire Mast Arm with LED Luminaire, and Equipment. Install Foundation Complete (S)	EA	1	\$17,000.00	\$17,000.00	\$27,595.00	\$27,595.00	\$21,000.00	\$21,000.00
121	Furnish and Install 24-4-100 Signal Pole with 35' Mast Arm, 15' Luminaire Mast Arm with LED Luminaire, and Equipment. Install Foundation Complete (S)	EA	2	\$16,500.00	\$33,000.00	\$27,595.00	\$55,190.00	\$20,000.00	\$40,000.00
122	Furnish and Install 26-4-100 Pole (30' Ht.), 40' Sig MA, 15' Luminaire Mast Arm w/ Relocated Luminaire (S)	EA	1	\$17,000.00	\$17,000.00	\$27,595.00	\$27,595.00	\$21,000.00	\$21,000.00
123	Furnish and Install 26-4-100 Pole (30' Ht.), 45' Sig MA, 15' Luminaire Mast Arm w/ Relocated Luminaire (S)	EA	1	\$17,500.00	\$17,500.00	\$27,595.00	\$27,595.00	\$23,000.00	\$23,000.00
124	Furnish and Install New LED Safety Light Fixture (S)	EA	1	\$950.00	\$950.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00
125	Furnish and Install 1#8 XHHW-2 Stranded Copper Tracer Wire (S)	LF	1600	\$2.00	\$3,200.00	\$1.50	\$2,400.00	\$3.00	\$4,800.00
126	Furnish and Install New Mast Arm Sign (S)	EA	1	\$350.00	\$350.00	\$400.00	\$400.00	\$200.00	\$200.00
127	Construct Curb Ramp	EA	15	\$3,000.00	\$45,000.00	\$5,800.00	\$87,000.00	\$6,050.00	\$90,750.00
128	Construct 6" Type G-2 Curb & Gutter per SDRSD G-2	LF	370	\$35.00	\$12,950.00	\$38.00	\$14,060.00	\$38.50	\$14,245.00
129	Construct AC Paving (Match Existing Section)	SF	9400	\$7.50	\$70,500.00	\$10.50	\$98,700.00	\$11.00	\$103,400.00

Item No.	Item Description (S) Indicates Specialty Item	Unit	Qty.	Tri Group Construction		DBX, Inc.		PTM General Engineering Services, Inc.	
				Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)
130	Construct 4" PCC Sidewalk per SDRSD G-7	SF	2900	\$8.00	\$23,200.00	\$7.60	\$22,040.00	\$8.25	\$23,925.00
131	Furnish and Install Cobble Landscaping	SF	1900	\$8.00	\$15,200.00	\$8.25	\$15,675.00	\$8.85	\$16,815.00
Citywide Traffic Signal and ADA Improvements Base Bid Sub Total:					\$752,745.00		\$930,471.00		\$846,615.00

Base Bid - Fiber Optic Traffic Signal Interconnect Expansion (HSIPL-5066(030))									
132	Mobilization	LS	1	\$17,000.00	\$17,000.00	\$5,500.00	\$5,500.00	\$24,839.00	\$24,839.00
133	Traffic Control	LS	1	\$64,000.00	\$64,000.00	\$38,000.00	\$38,000.00	\$35,000.00	\$35,000.00
134	Water Pollution Control	LS	1	\$5,000.00	\$5,000.00	\$1,500.00	\$1,500.00	\$4,000.00	\$4,000.00
135	Remove Existing Components Per Plan (S)	LS	1	\$21,000.00	\$21,000.00	\$1,500.00	\$1,500.00	\$20,020.00	\$20,020.00
136	Furnish and Install New 2070 ATC Controller (S)	EA	19	\$5,700.00	\$108,300.00	\$4,655.00	\$88,445.00	\$8,000.00	\$152,000.00
137	Furnish and Install New Serial to Ethernet Converter for 170E Controller (S)	EA	21	\$250.00	\$5,250.00	\$195.00	\$4,095.00	\$400.00	\$8,400.00
138	Furnish and Install New Oversized #6T Pull Box with Extension (S)	EA	8	\$1,500.00	\$12,000.00	\$3,200.00	\$25,600.00	\$4,000.00	\$32,000.00
139	Furnish and Install New 72 Strand Splice Closure (S)	EA	17	\$1,000.00	\$17,000.00	\$519.00	\$8,823.00	\$1,073.00	\$18,241.00
140	Furnish and Install New 36 Strand Splice Closure (S)	EA	1	\$1,000.00	\$1,000.00	\$463.00	\$463.00	\$94.00	\$94.00
141	Furnish and Install Fiber Distribution Unit with 1U Rack Mount and 1 Splice Cassette with 12 Ports, Jumpers, and Cabinet Termination Equipment (S)	EA	29	\$1,495.00	\$43,355.00	\$774.00	\$22,446.00	\$1,645.00	\$47,705.00

Item No.	Item Description (S) Indicates Specialty Item	Unit	Qty.	Tri Group Construction		DBX, Inc.		PTM General Engineering Services, Inc.	
				Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)
142	Furnish and Install Fiber Distribution Unit with 4U Rack Mount and 12 Splice Cassettes with 12 Ports, Jumpers, and Cabinet Termination Equipment (S)	EA	1	\$7,850.00	\$7,850.00	\$5,732.00	\$5,732.00	\$8,635.00	\$8,635.00
143	Furnish and Install New Layer 2 Ethernet Switch with 2-Dual Fiber/Transceiver Ports. Include Necessary Patch Cords (S)	EA	40	\$1,950.00	\$78,000.00	\$2,760.00	\$110,400.00	\$2,145.00	\$85,800.00
144	Furnish and Install 72 Strand SMFOC (S)	LF	31400	\$3.00	\$94,200.00	\$2.65	\$83,210.00	\$3.05	\$95,770.00
145	Furnish and Install 12 Strand SMFOC (S)	LF	6500	\$2.25	\$14,625.00	\$1.64	\$10,660.00	\$2.50	\$16,250.00
146	Furnish and Install Tracer Wire and Mule Tape (S)	LF	30700	\$1.00	\$30,700.00	\$0.90	\$27,630.00	\$1.00	\$30,700.00
147	Furnish and Install Cat6 Cable (S)	LF	220	\$2.10	\$462.00	\$1.90	\$418.00	\$2.35	\$517.00
148	Furnish and Install 2" PVC Conduit (S)	LF	30	\$150.00	\$4,500.00	\$150.00	\$4,500.00	\$140.00	\$4,200.00
149	Furnish and Install New LED Controller Cabinet Light Strip (S)	EA	1	\$250.00	\$250.00	\$250.00	\$250.00	\$250.00	\$250.00
150	Furnish and Install New #5 Pull Box Lid with "Fiber Optic Communications" (S)	EA	1	\$900.00	\$900.00	\$500.00	\$500.00	\$5,000.00	\$5,000.00
151	Furnish and Install Wireless Ethernet Radio and Associated Cable (S)	EA	1	\$5,100.00	\$5,100.00	\$3,484.00	\$3,484.00	\$5,610.00	\$5,610.00
152	Furnish and Dual Install Wireless Ethernet Radio and Associated Cable (S)	EA	2	\$7,250.00	\$14,500.00	\$4,091.00	\$8,182.00	\$7,975.00	\$15,950.00
153	Furnish and Install Scotchlok Network Connectors (S)	EA	8	\$550.00	\$4,400.00	\$98.00	\$784.00	\$605.00	\$4,840.00
154	Furnish and Install Ethernet Extender With PoE+ Powered Kit (S)	EA	11	\$2,400.00	\$26,400.00	\$1,845.00	\$20,295.00	\$2,610.00	\$28,710.00
155	Field Splices (S)	LS	1	\$16,100.00	\$16,100.00	\$11,000.00	\$11,000.00	\$17,710.00	\$17,710.00
156	Fiber Testing and Documentation (S)	LS	1	\$16,000.00	\$16,000.00	\$12,900.00	\$12,900.00	\$17,050.00	\$17,050.00

				Tri Group Construction		DBX, Inc.		PTM General Engineering Services, Inc.	
Item No.	Item Description (S) Indicates Specialty Item	Unit	Qty.	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)	Unit Price	Extension (Quantity x Unit Price)
Fiber Optic Traffic Signal Interconnect Expansion Base Bid Sub Total:									
					\$607,892.00		\$496,317.00		\$679,291.00
					\$2,290,407.00		\$2,363,500.00		\$2,482,428.00
BASE BID TOTAL OF ALL SUBTOTALS									

Additive Bid - Fiber Optic Traffic Signal Interconnect Expansion (HSIPL-5066(030))									
156	Furnish and Install New Type 1 to Type 2 332 Cabinet PDA Conversion (S)	EA	14	\$600.00	\$8,400.00	\$480.00	\$6,720.00	\$1,200.00	\$16,800.00
57 (S)	Furnish and Install Power Cycle Relay Switch	EA	42	\$500.00	\$21,000.00	\$250.00	\$10,500.00	\$523.00	\$21,966.00
58 (S)	Furnish and Install Ethernet Conflict Monitor	EA	42	\$850.00	\$35,700.00	\$725.00	\$30,450.00	\$13,000.00	\$546,000.00
159	Furnish and Install GPS EVPE System Including Radio, Cables, and Discriminator Card (S)	EA	3	\$13,500.00	\$40,500.00	\$13,000.00	\$39,000.00	\$8,000.00	\$24,000.00
					\$105,600.00		\$86,670.00		\$608,766.00
					\$2,396,007.00		\$2,450,170.00		\$3,091,194.00
GRAND TOTAL OF ALL SUBTOTALS (Base Bids + Additive Bid)									

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City 1) approving the adoption of the Public Agencies Post-Employment Benefits Trust plan administered by Public Agency Retirement Services to prefund the City's unfunded pension liabilities; 2) appoi

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: March 20, 2018

AGENDA ITEM NO.:

ITEM TITLE:

Resolution of the City Council of the City of National City 1) approving the adoption of the Public Agencies Post-Employment Benefits Trust administered by Public Agency Retirement Services to prefund the City's unfunded pension liabilities; 2) appointing the City Manager as Plan Administrator for the Trust, and 3) authorizing the Plan Administrator to execute the documents necessary to establish and maintain the City's Trust account.

PREPARED BY: Mark Roberts, Director of Finance

DEPARTMENT: Finance

PHONE: 619-336-4330

APPROVED BY: _____

EXPLANATION:

See attached explanation.

FINANCIAL STATEMENT:

APPROVED: Mark Roberts **FINANCE**

ACCOUNT NO.
NA

APPROVED: _____ **MIS**

ENVIRONMENTAL REVIEW:

This is not a project and, therefore, not subject to environmental review.

ORDINANCE: **INTRODUCTION** ☐ **FINAL ADOPTION** ☐

STAFF RECOMMENDATION:

Adopt the resolution 1) approving the adoption of the Public Agencies Post-Employment Benefits Trust administered by Public Agency Retirement Services to prefund the City's unfunded pension liabilities; 2) appointing the City Manager as Plan Administrator for the Trust, and 3) authorizing the Plan Administrator to execute the documents necessary to establish and maintain the City's Trust account.

BOARD / COMMISSION RECOMMENDATION:

ATTACHMENTS:

1. Explanation
2. Public Agencies Post-Employment Benefits Trust Agreement
3. Adoption Agreement for the Post-Employment Section 115 Trust
4. Internal Revenue Service Private Letter Ruling – Public Agencies Post-Employment Benefits Trust
5. US Bank Investment Strategy Selection and Disclosure Form
6. US Bank Discretionary Trustee Fee Schedule

Attachment

Resolution of the City Council of the City of National City 1) approving the adoption of the Public Agencies Post-Employment Benefits Trust administered by Public Agency Retirement Services to prefund the City's unfunded pension liabilities; 2) appointing the City Manager as Plan Administrator for the Trust, and 3) authorizing the Plan Administrator to execute the documents necessary to establish and maintain the City's Trust account.

March 20, 2018

Explanation

During the Fiscal Year 2018 Budget Priorities workshop on February 7, 2017, staff provided the City Council an overview of the City's pension plans. The overview included the growth of the plans net (unfunded) liabilities and associated contribution costs over the past ten years and recent CalPERS developments which will accelerate the growth of the liabilities over the next several years.

At the fiscal year 2018 budget workshop on February 28, 2017, Mary Beth Redding of Bartel Associates, the City's pension and other postemployment plan (OPEB) actuarial consultant, provided a comprehensive analysis of the pension plans and an overview of the OPEB plan, including the plans' unfunded liabilities, and discussed prefunding options for the plans, recommending establishing an irrevocable trust or trusts as the most prudent choice.

Having evaluated the prefunding options and consulted with Bartel Associates, staff brought forward a recommendation to the Council at the April 25, 2017 Fiscal Year 2018 Budget Workshop to authorize the establishment of an irrevocable trust (or trusts) with a total initial contribution of \$1 million. To assist in making its decision regarding the recommendation, the Council directed staff to prepare an analysis of the benefits and drawbacks of establishing the trust(s).

At the regular City Council meeting of May 16, 2017, staff presented the advantages and potential disadvantages of pension and OPEB trusts and recommended the Council approve the establishment of a trust and an initial contribution of \$1 million, with the contribution allocated amongst City funds with pension obligations and sufficient available resources. The Council approved the establishment of the Irrevocable Supplemental Pension Trust Fund, and transfers totalling \$1 million to the fund from various other City funds is included in the Fiscal Year 2018 Adopted.

During the regular City Council meeting of December 19, 2017, the Council authorized the execution of an agreement with PARS to provide pension trust administration services.

Staff brings this agenda item forward to request Council approval of the adoption of the Public Agencies Post-Employment Benefits Trust ("Trust") administered by PARS to prefund the City's unfunded pension liabilities, appointment of the City Manager as Plan Administrator for the Trust, and authorization for the Plan Administrator to execute the documents necessary to establish and maintain the City's Trust account. Included in the documents to be executed to establish the account are:

- Adoption Agreement for the Post-Employment Section 115 Trust, required for the official adoption of the Public Agencies Post-Employment Benefits Trust

Attachment

Resolution of the City Council of the City of National City 1) approving the adoption of the Public Agencies Post-Employment Benefits Trust administered by Public Agency Retirement Services to prefund the City's unfunded pension liabilities; 2) appointing the City Manager as Plan Administrator for the Trust, and 3) authorizing the Plan Administrator to execute the documents necessary to establish and maintain the City's Trust account.

March 20, 2018

Agreement (described below) and the establishment of the City's pension trust account.

- US Bank Investment Strategy Selection and Disclosure Form, listing the various investment portfolios offered under the program from which the City may select.
- US Bank, as investment manager, through its subadvisor, HighMark Capital Management Inc., will invest plan assets in accordance with the City's selection.
- US Bank Discretionary Trustee Fee Schedule, disclosing fees charged for trustee and investment management services for the assets of the trust.

The Public Agencies Post-Employment Benefits Trust Agreement established the multiple employer trust arrangement, i.e., the Trust, in which the City would participate to prefund its unfunded pension liability.

The private letter ruling issued by the Internal Revenue Service (IRS) to PARS in relation to the Trust is also included with this agenda statement for reference and information. The private letter ruling, issued on June 5, 2015, confirms that income derived from the Trust is tax-exempt under Section 115(1) of the Internal Revenue Code, due to the IRS's determination the Trust serves to perform an essential governmental function.

**PUBLIC AGENCIES
POST-EMPLOYMENT BENEFITS
TRUST AGREEMENT**

(Effective November 5, 2014)

ARTICLE I

DEFINITIONS

- 1.1 **“Adoption Agreement”** shall have the meaning given to such term in Section 2.3.
- 1.2 **“Agency Account”** shall have the meaning given to such term in Section 2.4.
- 1.3 **“Agreement for Administrative Services”** shall mean the agreement executed between the Employer and the Trust Administrator which authorizes the Trust Administrator to perform specific duties of administering the Agency Account of the Employer.
- 1.4 **“Assets”** shall have the meaning given to such term in Section 2.5.
- 1.5 **“Code”** shall mean the Internal Revenue Code of 1986 as amended from time to time.
- 1.6 **“Delegatee”** shall mean an individual or entity, appointed by the Plan Administrator or Employer to act in such matters as are specified in the appointment.
- 1.7 **“Effective Date”** shall mean the date first written above, the date the Trust was established, and with respect to each Employer, the Effective Date shall be the date on which the Employer executes the Adoption Agreement.
- 1.8 **“Eligible Beneficiary”** shall mean any person who, due to his or her relationship to an Eligible Employee, is entitled to post-employment benefits pursuant to the Employer’s Pension Plan or OPEB Plan, including but not limited to the Eligible Employee’s current or former spouse or domestic partner, child, dependent, or survivor.
- 1.9 **“Eligible Employee”** shall mean any employee of an Employer who is entitled to post-employment benefits pursuant to the Employer’s Pension Plan or OPEB Plan. Unless the context otherwise requires, the term “Eligible Employee” as used herein shall include any Eligible Beneficiaries.
- 1.10 **“Employer”** shall mean a public agency that executes the Adoption Agreement, thereby adopting the provisions of this Trust Agreement, provided that such agency is a state, a political subdivision of a state, or an entity the income of which is excludible from gross income under Section 115 of the Code.
- 1.11 **“GASB”** shall mean the Governmental Accounting Standards Board.
- 1.12 **“Omnibus Account”** shall mean an account, established for record keeping purposes only, to aggregate the balances of the Assets credited to the Agency Accounts. The Trust Administrator shall maintain and reconcile, at the Agency Account level (and subaccount level), the investments of the Agency Accounts

and will provide reports to the Plan Administrator with respect to such investments. The Trustee will maintain a record of the aggregate balance (principal and earnings) for all Agency Accounts. The Trust Administrator will in the ordinary course of business maintain a record of the name, address, taxpayer identification number, account number and amount of funds, including earnings, of each Employer. On periodic valuation dates (no less frequently than monthly) to be established by the Trust Administrator, the Trustee and Trust Administrator will reconcile the aggregate balance information maintained by the Trustee with the Agency Account level records maintained by the Trust Administrator pursuant to this Trust Agreement.

- 1.13 “**OPEB**” shall mean “other post-employment benefits,” such as medical, dental, vision, life insurance, long-term care and other similar benefits provided to retirees, other than pension benefits.
- 1.14 “**OPEB Obligation**” shall mean an Employer’s obligation to provide OPEB to its Eligible Employees in accordance with the Employer’s OPEB Plan.
- 1.15 “**OPEB Plan**” shall mean the Public Agencies Post-Employment Health Care Plan, as adopted by the Employer under the Adoption Agreement.
- 1.16 “**Pension Obligation**” shall mean an Employer’s obligation to contribute to the Pension Plan’s Qualified Trust and shall not, for example, mean an Employer’s Obligation to provide retirement benefits under the Pension Plan to the Employer’s Eligible Employees.
- 1.17 “**Pension Plan**” shall mean an Employer’s defined-benefit pension plan or plans, each of which is (i) qualified under Section 401(a) of the Code, (ii) sponsored by the Employer in order to provide retirement benefits to its Eligible Employees, and (iii) partly or wholly funded by the Employer’s contributions to a Qualified Trust.
- 1.18 “**Plan Administrator**” shall mean the individual designated by position of employment at the Employer to act on its behalf in all matters relating to the Employer's participation in the Trust.
- 1.19 “**Qualified Trust**” shall mean a trust which (i) is separate and apart from the Trust, (ii) constitutes a qualified trust under Code Section 401(a), and (iii) funds retirement benefits provided under an Employer’s Pension Plan to the Employer’s Eligible Employees.
- 1.20 “**Trust**” shall mean the Public Agencies Post-Employment Benefits trust arrangement.
- 1.21 “**Trust Administrator**” shall mean Public Agency Retirement Services or any successor trust administrator appointed by the Employers as provided herein. The Trust Administrator shall serve as trust administrator to the Trust established

pursuant to this Trust Agreement until such Trust Administrator resigns or is removed as provided in Article III.

- 1.22 **"Trust Agreement"** shall mean this Public Agencies Post-Employment Benefits trust document adopted by each Employer upon execution of an Adoption Agreement, as amended from time to time.
- 1.23 **"Trustee"** shall mean U.S. Bank National Association, or any successor trustee appointed by the Employers as provided herein. The Trustee shall serve as trustee of the Trust established pursuant to the provisions of this Trust Agreement until such Trustee resigns or is removed as provided in Article III.

ARTICLE II

THE TRUST

2.1 Multiple Employer Trust

The Trust is a multiple employer trust arrangement established to provide economies of scale and efficiency of administration to public agencies that adopt it to hold the assets used to fund the agency's OPEB Obligation or Pension Obligation or both. The Trust is divided into Agency Accounts to hold the Assets of each Employer as described in Section 2.4.

2.2 Purpose

The Trust is established with the intention that it qualify as a tax-exempt trust performing an essential governmental function within the meaning of Section 115 of the Code and any regulations issued thereunder and as a tax-exempt trust under the provisions of the relevant state's statutory provisions of each Employer. This Trust Agreement shall be construed and the Trust shall be administered in a manner consistent with such intention. The fundamental purpose of the Trust is to fund the Employer's OPEB Obligation or Pension Obligation or both. It is intended that adopting Employers retain an interest in the underlying securities held in the Trust on their behalf, rather than in the Trust itself.

The Employer hereby represents and warrants that the assets held hereunder (including the Assets) are not assets of any qualified plan under Code Section 401(a), regardless of the character of such assets once distributed. The Employer hereby acknowledges that the Trust does not constitute a qualified trust under Code Section 401(a).

2.3 Employers

Any public agency may, by action of its governing body in writing accepted by the Trustee, adopt the provisions of the Trust Agreement. Executing an adoption instrument for the Trust ("**Adoption Agreement**"), in the form attached hereto as Exhibit "A" (or such other form as may be approved by the Trustee), shall

constitute such adoption, unless the Trustee requires additional evidence of adoption. In order for such adoption to be effective, the public agency must also execute an Agreement for Administrative Services with Public Agency Retirement Services, the Trust Administrator, pursuant to Section 3.6 of this Trust Agreement. Such adopting Employer shall then become an Employer of the Trust.

Each such Employer shall, at a minimum, furnish the Trust Administrator with the following documents to support its adoption of the Trust:

- (a) a certified copy of the resolution(s) of the governing body of the Employer authorizing the adoption of the Trust Agreement and the appointment of the Plan Administrator for such Employer;
- (b) an original of the Adoption Agreement executed by the Plan Administrator or other duly authorized Employer employee;
- (c) an original of the Agreement for Administrative Services with Public Agency Retirement Services executed by the Plan Administrator or other duly authorized Employer employee and Public Agency Retirement Services;
- (d) an address notice; and
- (e) such other documents as the Trustee may reasonably request.
- (f) Any action taken by the Plan Administrator for an Employer shall be deemed to have been taken by such Employer. Any notice given to or delivered by the Plan Administrator for an Employer shall be deemed to have been given to or delivered by such Employer.

2.4 Agency Accounts

- (a) Upon an Employer's adopting the Trust Agreement, as provided in Section 2.3, a separate "**Agency Account**" shall be established under the Trust for that Employer, and all Assets of the Trust attributable to that Employer shall be held in that Employer's Agency Account.
- (b) An Employer's Agency Account comprises three subaccounts: a "**Pension Account**", an "**OPEB Account**", and a "**Suspense Account**". The Assets of the Trust that are held in the Employer's Pension Account will be available only to fund the Employer's Pension Obligation and defray the reasonable expenses associated with the same. The Assets of the Trust that are held in the Employer's OPEB Account will be available only to fund the Employer's OPEB Obligation and defray the reasonable expenses associated with the same.
- (c) The Assets of the Trust that are held in an Employer's Agency Account shall not be available to pay any obligations incurred by any other Employer as provided in Section 2.8.

(d) All contributions and transfers received by the Trust on behalf of the Employer will be held in the Employer's Agency Account and will be allocated to the subaccounts under the Agency Account as follows:

(1) If the Employer maintains a Pension Account or OPEB Account (and not both a Pension Account and an OPEB Account), all contributions and transfers received by the Trust on the Employer's behalf will be allocated to that subaccount.

(2) If the Employer maintains both a Pension Account and an OPEB Account, contributions and transfers received by the Trust on the Employer's behalf will be allocated to either the Pension Account or OPEB Account, as directed by the Plan Administrator. To the extent the Plan Administrator does not provide such direction, the Employer hereby directs the Trustee to allocate such contributions and transfers to the Suspense Account and to use the assets of the Suspense Account to purchase a position in the sweep vehicle identified on an **exhibit** hereto or, if none is identified, to hold such assets un-invested. The Plan Administrator may at any time direct the reallocation of cash from the Suspense Account to either the Pension Account or the OPEB Account.

(3) Once allocated to the Pension Account or the OPEB Account, amounts under the Trust may not subsequently be transferred to the other subaccount.

2.5 Assets of Agency Account

The assets held in an Agency Account shall consist of all contributions and transfers received by the Trust on behalf of the Employer, together with the income and earnings from such contributions and transfers, and any increments accruing to the Agency Account, net of any investment losses, benefits, expenses or other costs ("**Assets**"). All contributions or transfers shall be received by the Trustee in cash or in other property acceptable to the Trustee. The Trustee shall manage and administer the Assets held in Agency Accounts without distinction between principal and income. The Trustee and the Trust Administrator shall have no duty to compute any amount to be transferred or paid to the Agency Account by the Employer, and the Trustee and the Trust Administrator shall not be responsible for the collection of any contributions or transfers to the Agency Account.

2.6 Aggregate Balance for Investment and Administration

The balances of the Assets of more than one Agency Account may be aggregated by the Trustee in one or more Omnibus Accounts for investment and administrative purposes, to provide economies of scale and efficiency of administration to the Agency Accounts. The responsibility for Agency Account level accounting (including subaccount-level accounting within each Agency Account) within this Omnibus Account(s) shall be that of the Trust Administrator.

2.7 Trustee Accounting

The Trustee shall be responsible only for maintaining records and maintaining accounts for the aggregate assets of the Trust. The responsibility for accounting and subaccounting for each Agency Account, based upon the Omnibus Account(s), shall be that of the Trust Administrator.

2.8 No Diversion of Assets

The Assets in each Employer's Agency Account shall be held in trust for the exclusive purpose of funding the Employer's OPEB Obligation or Pension Obligation or both and defraying the reasonable expenses associated with the same. The Assets in each Agency Account shall not be used for or diverted to, any other purpose, including, but not limited to, the satisfaction of any other Employer's Pension Obligation or OPEB Obligation.

2.9 Type and Nature of Trust

Neither the full faith and credit nor the taxing power of each Employer is pledged to the distribution of amounts hereunder. Except for contributions and other amounts hereunder, no other amounts are pledged to the distribution of benefits hereunder. Distributions of benefits are neither general nor special obligations of any Employer, but are payable solely from the Assets held in such Employer's Agency Account, as more fully described herein. No employee of any Employer or beneficiary may compel the exercise of the taxing power by any Employer.

Distributions of Assets from any Agency Account are not debts of any Employer within the meaning of any constitutional or statutory limitation or restriction. Such distributions are not legal or equitable pledges, charges, liens or encumbrances, upon any of an Employer's property, or upon any of its income, receipts, or revenues, except amounts in the accounts which are, under the terms of each Plan and the Trust set aside for distributions. Neither the members of the governing body of any Employer nor its officers, employees, agents or volunteers are liable hereunder.

2.10 Loss of Tax-Exempt Status as to Any Employer

If any Employer participating in the Trust receives notice from the Internal Revenue Service that the Trust as to such Employer fails to satisfy the requirements of Section 115 of the Code, or if any Employer consents to the Internal Revenue Service's determination that the Trust fails to meet such requirements, Assets having a value equal to the funds then held in such Employer's Agency Account shall be segregated and placed in a separate trust by the Trustee for the exclusive benefit of such Employer's Eligible Employees within a reasonable time after the Trust Administrator notifies the Trustee of the Internal Revenue Service's determination. Each Employer participating in the Trust agrees to immediately notify the Trust Administrator upon receiving such

notice or giving such consent. The separate trust provided for in this Section 2.10 shall thereafter be considered as a separate trust containing all of the provisions of this Trust Agreement until terminated as provided in this Trust Agreement.

ARTICLE III

ADMINISTRATIVE MATTERS

3.1 Appointment of Trustee

The Employers may, with the approval of two-thirds (2/3) or more of the Employers then participating in the Trust, act to appoint a bank, trust company, retirement board, insurer, committee or such other entity as permitted by law, to serve as the trustee of this Trust. Such action must be in writing. Upon the written acceptance of such entity it shall become the Trustee of the Trust. If the Trustee is removed or resigns pursuant to Section 3.2, the Employers shall appoint a successor Trustee in accordance with the voting requirements set forth in this Section 3.1.

3.2 Resignation or Removal of Trustee

The Employers may act to remove the Trustee, provided that such action must satisfy the voting requirements set forth in Section 3.1 and notice of such action must be promptly delivered to the Trust Administrator, the Trustee and each Plan Administrator. The Trustee may also resign at any time by giving at least ninety (90) days prior written notice to the Trust Administrator and to the Plan Administrator of each Employer that has adopted the Trust Agreement and not terminated its participation in the Trust; provided, however, that the Trustee may resign immediately upon the earlier of the approval date or the effective date of any amendment of the Trust Agreement by the Employers that would change or modify the duties, powers or liabilities of the Trustee hereunder without the Trustee's consent. The Trustee shall, upon the appointment and acceptance of a successor trustee, transfer and deliver the Assets and all records relating to the Trust to the successor, after reserving such reasonable amount as it shall deem necessary to provide for its fees and expenses and any sums chargeable against the Trust for which it may be liable. The Trustee shall do all acts necessary to vest title of record in the successor trustee.

3.3 Withdrawal of Employer

An Employer may elect to withdraw from the Trust by giving at least thirty (30) days prior written notice to the Trustee and the Trust Administrator. If an Employer so elects to withdraw, Assets having a value equal to the funds held in such Employer's Agency Account shall be segregated by the Trustee and, as soon as practicable, shall be transferred to one or more trusts maintained by the Employer, provided that (i) for Assets transferred from the OPEB Account, any such trust shall satisfy the requirements of Section 115 of the Code, (ii) for Assets

transferred from the Pension Account, any such trust shall satisfy the requirements of either Section 115 or 401(a) of the Code, and (iii) all assets held by any such trust and previously held in the Employer's Pension Account or OPEB Account shall qualify as "plan assets" within the meaning of GASB Statement No. 68 (Accounting and Financial Reporting for Pensions—An Amendment of GASB Statement No. 27) or GASB Statement No. 45 (Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions), respectively, in each case as reasonably determined by the Employer and certified in writing by the Employer to the Trust Administrator. The Employer shall appoint a trustee for such Employer's separate trust and, upon the trustee's acceptance of that appointment, the trustee will be vested with title to the transferred Assets.

3.4 The Plan Administrator

The governing body of each Employer shall have plenary authority for the administration and investment of such Employer's Agency Account pursuant to any applicable state laws and applicable federal laws and regulations. Each Employer shall by resolution designate a Plan Administrator. Unless otherwise specified in the instrument the Plan Administrator shall be deemed to have authority to act on behalf of the Employer in all matters pertaining to the Employer's participation in the Trust and in regard to the Agency Account of the Employer. Such appointment of a Plan Administrator shall be effective upon receipt and acknowledgment by the Trustee and the Trust Administrator and shall be effective until the Trustee and the Trust Administrator are furnished with a resolution of the Employer that the appointment has been modified or terminated.

3.5 Failure to Appoint Plan Administrator

If a Plan Administrator is not appointed, or such appointment lapses, the Employer shall be deemed to be the Plan Administrator. As used in this document the term "Plan Administrator" shall be deemed to mean "Employer" when a Plan Administrator has not been appointed for such Employer.

3.6 Delegatee

The Plan Administrator, acting on behalf of the Employer, may delegate certain authority, powers and duties to a Delegatee to act in those matters specified in the delegation. Any such delegation must be in a writing that names and identifies the Delegatee, states the effective date of the delegation, specifies the authority and duties delegated, is executed by the Plan Administrator, is acknowledged in writing by the Delegatee, and is certified as required in Section 3.7 to the Trust Administrator. Such delegation shall be effective until the Trustee and the Trust Administrator are directed in writing by the Plan Administrator that the delegation has been rescinded or modified.

3.7 Certification to Trustee

The governing body of each Employer, or other duly authorized official, shall certify in writing to the Trustee and the Trust Administrator the names and specimen signatures of the Plan Administrator and Delegatee, if any, and all others authorized to act on behalf of the Employer whose names and specimen signatures shall be kept accurate by the Employer acting through a duly authorized officer or governing body of the Employer. The Trustee and the Trust Administrator shall have no liability if they act upon the direction of a Plan Administrator or Delegatee that has been duly authorized, as provided in Section 3.6, if that Plan Administrator or Delegatee is no longer authorized to act, unless the Employer has informed the Trustee and the Trust Administrator of such change.

3.8 Directions to Trustee

All directions to the Trustee from the Plan Administrator or Delegatee must be in writing and must be signed by the Plan Administrator or Delegatee, as the case may be. For all purposes of this Trust Agreement, direction shall include any certification, notice, authorization, application or instruction of the Plan Administrator, Delegatee or Trustee appropriately communicated. The above notwithstanding, direction may be implied if the Plan Administrator or Delegatee has knowledge of the Trustee's intentions and fails to file written objection.

The Trustee shall have the power and duty to comply promptly with all proper directions of the Plan Administrator or Delegatee, appointed in accordance with the provisions of this Trust Agreement. In the case of any direction deemed by the Trustee to be unclear or ambiguous the Trustee may seek written instructions from the Plan Administrator, the Employer or the Delegatee on such matter and await their written instructions without incurring any liability. If at any time the Plan Administrator or the Delegatee should fail to give directions to the Trustee, the Trustee may act in the manner that in its discretion seems advisable under the circumstances for carrying out the purposes of the Trust and/or the applicable Agency Account which may include not taking any action. The Trustee may request directions or clarification of directions received and may delay acting until clarification is received. In the absence of timely direction or clarification, or if the Trustee considers any direction to be a violation of the Trust Agreement or any applicable law, the Trustee shall in its sole discretion take appropriate action, or refuse to act upon a direction.

3.9 Appointment of Trust Administrator

The Employers may, with the approval of two-thirds (2/3) or more of the Employers then participating in the Trust, act to appoint a bank, trust company, retirement board, insurer, committee or such other entity as permitted by law, to serve as Trust Administrator of the Trust. Such action must be in writing. Upon the written acceptance of such entity it shall become the Trust Administrator of

the Trust. If the Trust Administrator is removed or resigns pursuant to Section 3.13, the Employers shall appoint a successor Trust Administrator in accordance with the voting requirements set forth in this Section 3.9.

3.10 Trust Administrator

The Trust Administrator's duties involve the performance of the following services pursuant to the provisions of this Trust Agreement and the Agreement for Administrative Services:

- (a) Performing periodic accounting of each Agency Account (including subaccount-level accounting within each Agency Account) and reconciling such Agency Account balances with the Trust/Omnibus Account;
- (b) Directing the Trustee to make distributions from the appropriate subaccount under an Agency Account in accordance with Section 5.9.
- (c) Allocating contributions, earnings and expenses to each Agency Account and the underlying subaccounts;
- (d) Directing the Trustee to pay the fees of the Trust Administrator and to do such other acts as shall be appropriate to carry out the intent of the Trust;
- (e) Such other services as the Employer and the Trust Administrator may agree in the Agreement for Administrative Services pursuant to Section 2.3.

The Trust Administrator shall be entitled to rely on, and shall be under no duty to question, any direction and/or data received from the Plan Administrator, or other duly authorized entity, in order to perform its authorized duties under this Trust Agreement. The Trust Administrator shall not have any duty to compute contributions made to the Trust, determine or inquire whether contributions made to the Trust by the Plan Administrator or other duly authorized entity are adequate to meet an Employer's Pension Obligation or OPEB Obligation as may be determined under any applicable GASB pronouncement; or determine or inquire whether contributions made to the Trust are in compliance with the Employer's OPEB Plan or Pension Plan. The Trust Administrator shall not be liable for nonperformance of duties if such nonperformance is directly caused by erroneous, and/or late delivery of, directions or data from the Plan Administrator, or other duly authorized entity.

3.11 Additional Trust Administrator Services

The Plan Administrator may at any time retain the Trust Administrator as its agent to perform any act, keep any records or accounts and make any computations which are required of the Employer or the Plan Administrator by this Trust Agreement or by the Employer's policies and/or applicable collective bargaining agreements. The Trust Administrator shall be separately compensated

for such service and such services shall not be deemed to be contrary to the Trust Agreement.

3.12 Trust Administrator's Compensation

As may be agreed upon from time to time by the Employer and Trust Administrator, the Trust Administrator will be paid reasonable compensation for services rendered or reimbursed for expenses properly and actually incurred in the performance of duties with respect to such Employer's Agency Account and to the Trust.

3.13 Resignation or Removal of Trust Administrator

The Employers may act to remove the Trust Administrator, provided that such action must satisfy the voting requirements set forth in Section 3.9 and notice of such action must be promptly delivered to the Trust Administrator, the Trustee and each Plan Administrator. The Trust Administrator may also resign at any time by giving at least one hundred and twenty (120) days prior written notice to the Trustee and to the Plan Administrator of each Employer that has adopted the Trust Agreement and not terminated its participation in the Trust; provided, however, that the Trust Administrator may resign immediately upon the earlier of the approval date or the effective date of any amendment of the Trust Agreement by the Employers that would change or modify the duties, powers or liabilities of the Trust Administrator hereunder without the Trust Administrator's consent. The Trust Administrator shall, upon the appointment and acceptance of a successor trust administrator, transfer all records relating to the Trust to the successor.

ARTICLE IV

THE TRUSTEE

4.1 Powers and Duties of the Trustee

Except as otherwise provided in Article V and subject to Article VI, the Trustee shall have full power and authority with respect to property held in the Trust to do all such acts, take all proceedings, and exercise all such rights and privileges, whether specifically referred to or not in this document, as could be done, taken or exercised by the absolute owner, including, without limitation, the following:

(a) To invest and reinvest the Assets or any part hereof in any one or more kind, type, class, item or parcel of property, real, personal or mixed, tangible or intangible; or in any one or more kind, type, class, item or issue of investment or security; or in any one or more kind, type, class or item of obligation, secured or unsecured; or in any combination of them (including those issued by the Trustee of any of its affiliates, to the extent permitted by applicable law), and to retain the property for the period of time that the Trustee deems appropriate;

(b) To acquire and sell options to buy securities ("call" options) and to acquire and sell options to sell securities ("put" options);

(c) To buy, sell, assign, transfer, acquire, loan, lease (for any purpose, including mineral leases), exchange and in any other manner to acquire, manage, deal with and dispose of all or any part of the Trust property, for cash or credit and upon any reasonable terms and conditions;

(d) To make deposits, with any bank or savings and loan institution, including any such facility of the Trustee or an affiliate thereof provided that the deposit bears a reasonable rate of interest;

(e) To invest and reinvest the Assets, or any part thereof in any one or more collective investment trust funds, including common and group trust funds that consist exclusively of assets of exempt pension and profit sharing trusts and individual retirement accounts qualified and tax exempt under the Code, that are maintained by the Trustee or an affiliate thereof. The declaration of trust or plan of operations for any such common or collective fund is hereby incorporated herein and adopted into this Trust Agreement by this reference. The combining of money and other assets of the Trust with money and other assets of other non-qualified trusts in such fund or funds is specifically authorized. Notwithstanding anything to the contrary in this Trust Agreement, the Trustee shall have full investment responsibility over Assets of the Trust invested in such commingled funds. If the plan and trust for any reason lose their tax exempt status, and the Assets have been commingled with assets of other tax exempt trusts in Trustee's collective investment funds, the Trustee shall within 30 days of notice of such loss of tax exempt status, liquidate the Trust's units of the collective investment fund(s) and invest the proceeds in a money market fund pending investment or other instructions from the Plan Administrator. The Trustee shall not be liable for any loss or gain or taxes, if any, resulting from said liquidation;

(f) To place uninvested cash and cash awaiting distribution in one or more mutual funds and/or commingled investment funds maintained by or made available by the Trustee or any of its affiliates, and to receive compensation from the sponsor of such fund(s) for services rendered, separate and apart from any Trustee's fees hereunder. The Trustee or its affiliate may also be compensated for providing investment advisory services to any mutual fund or commingled investment funds;

(g) To borrow money for the purposes of the Trust from any source with or without giving security; to pay interest; to issue promissory notes and to secure the repayment thereof by pledging all or any part of the Assets;

(h) To take all of the following actions: to vote proxies of any stocks, bonds or other securities; to give general or special proxies or powers of attorney with or

without power of substitution; to exercise any conversion privileges, subscription rights or other options, and to make any payments incidental thereto; to consent to or otherwise participate in corporate reorganizations or other changes affecting corporate securities and to delegate discretionary powers and to pay any assessments or charges in connection therewith; and generally to exercise any of the powers of an owner with respect to stocks, bonds, securities or other property held in the Trust;

(i) To make, execute, acknowledge and deliver any and all documents of transfer and conveyance and any and all other instruments that may be necessary or appropriate to carry out the powers herein granted;

(j) To raze or move existing buildings; to make ordinary or extraordinary repairs, alterations or additions in and to buildings; to construct buildings and other structures and to install fixtures and equipment therein;

(k) To pay or cause to be paid from the Trust any and all real or personal property taxes, income taxes or other taxes or assessments of any or all kinds levied or assessed upon or with respect to the Trust;

(l) To exercise all the further rights, powers, options and privileges granted, provided for, or vested in trustees generally under applicable federal or state laws, as amended from time to time, it being intended that, except as herein otherwise provided, the powers conferred upon the Trustee herein shall not be construed as being in limitation of any authority conferred by law, but shall be construed as consistent or in addition thereto.

4.2 Additional Trustee Powers

In addition to the other powers enumerated above, the Trustee in any and all events is authorized and empowered:

(a) To invest funds pending required directions in any type of interest-bearing account, including, without limitation, time certificates of deposit or interest-bearing accounts issued by the Trustee, or any mutual fund or short term investment fund (“**Fund**”), whether sponsored or advised by the Trustee or any affiliate thereof); the Trustee or its affiliates may be compensated for providing such investment advice and providing other service to such Fund, in addition to any Trustee’s fees received pursuant to this Trust Agreement;

(b) To cause all or any part of the Trust to be held in the name of the Trustee (which in such instance need not disclose its fiduciary capacity) or, as permitted by law, in the name of any nominee, and to acquire for the Trust any investment in bearer form, but the books and records of the Trust shall at all times show that all such investments are a part of the Trust and the Trustee shall hold evidences of title to all such investments;

- (c) To serve as custodian with respect to the Trust Assets;
- (d) To employ such custodians, agents and counsel as may be reasonably necessary in managing and protecting the Assets and to pay them reasonable compensation from the Trust; to employ any broker-dealer or other agent, including any broker-dealer or other agent affiliated with the Trustee, and pay to such broker-dealer or other agent, at the expense of the Trust, its standard commissions or compensation; to settle, compromise or abandon all claims and demands in favor of or against the Trust; and to charge any premium on bonds purchased at par value to the principal of the Trust without amortization from the Trust, regardless of any law relating thereto;
- (e) In addition to the powers listed herein, to do all other acts necessary or desirable for the proper administration of the Trust, as though the absolute owner thereof;
- (f) To prosecute, compromise and defend lawsuits, but without obligation to do so, all at the risk and expense of the Trust; and to tender its defense to the Employer in any legal proceeding where the interests of the Trustee and the Employer are not adverse;
- (g) To exercise and perform any and all of the other powers and duties specified in this Trust Agreement or the Plan;
- (h) To permit such inspections of documents at the principal office of the Trustee as are required by law, subpoena or demand by a United States agency;
- (i) To comply with all requirements imposed by applicable provisions of law;
- (j) To seek written instructions from the Plan Administrator or other fiduciary on any matter and await their written instructions without incurring any liability. If at any time the Plan Administrator or the fiduciary should fail to give directions to the Trustee, the Trustee may act in the manner that in its discretion seems advisable under the circumstances for carrying out the purposes of the Trust;
- (k) To compensate such executive, consultant, actuarial, accounting, investment, appraisal, administrative, clerical, secretarial, medical, custodial, depository and legal firms, personnel and other employees or assistants as are engaged by the Plan Administrator in connection with funding the Employer's OPEB Obligation or Pension Obligation or both and to pay from the Trust the necessary expenses of such firms, personnel and assistants, to the extent not paid by the Plan Administrator;

(l) To act upon proper written directions of the Plan Administrator or Delegatee, including directions given by photostatic transmissions using facsimile signature, and such other forms of directions as the parties shall agree;

(m) To pay from the Trust the expenses reasonably incurred in the administration of the Trust;

(n) To maintain insurance for such purposes, in such amounts and with such companies as the Plan Administrator shall elect, including insurance to cover liability or losses occurring by reason of the acts or omissions of fiduciaries but only if such insurance permits recourse by the insurer against the fiduciary in the case of a breach of a fiduciary obligation by such fiduciary.

ARTICLE V

INVESTMENTS

5.1 Discretionary Versus Directed Investment

For the Pension Account and the OPEB Account under the Agency Account, the Employer shall elect either a discretionary or directed investment approach. The Employer may elect the same or different investment approaches for those two subaccounts. The Employer hereby elects a directed approach for the Suspense Account. If the Employer elects a discretionary investment approach for a subaccount, the Employer shall further elect between the various investment strategies offered and the Trustee, in accordance with Article IV, shall have absolute discretion over the investment of the Assets held in such subaccount under the Employer's Agency Account. If the Employer elects a directed investment approach for a subaccount, the Trustee shall direct the investment of the Assets of such subaccount under the Employer's Agency Account in accordance with the direction provided by such Employer.

5.2 Trustee Fees

As may be agreed upon, in writing, between the Plan Administrator and Trustee, the Trustee will be paid reasonable compensation for services rendered or reimbursed for expenses properly and actually incurred in the performance of duties with respect to the applicable Agency Account or the Trust.

5.3 Contributions

Eligible Employees are not permitted to make contributions to the Trust. The Plan Administrator shall, on behalf of the Employer, make all contributions to the Trustee. Such contributions shall be in cash unless the Trustee agrees to accept a contribution that is not in cash. All contributions shall be paid to the Trustee for investment and reinvestment pursuant to the terms of this Trust Agreement. The Trustee shall not have any duty to determine or inquire whether any contributions

to the Trust made to the Trustee by any Plan Administrator are in compliance with the Employer's Pension Plan or OPEB Plan; nor shall the Trustee have any duty or authority to compute any amount to be paid to the Trustee by any Plan Administrator; nor shall the Trustee be responsible for the collection or adequacy of the contributions to meet an Employer's Pension Obligation or OPEB Obligation. The contributions received by the Trustee from each Employer shall be held and administered pursuant to the terms hereof without distinction between income and principal.

5.4 Records

(a) The Trustee shall maintain accurate records and detailed accounts of all investments, receipts, disbursements and other transactions hereunder at the Trust level. Such records shall be available at all reasonable times for inspection by the Trust Administrator. The Trustee shall, at the direction of the Trust Administrator, submit such valuations, reports or other information as the Trust Administrator may reasonably require.

(b) The Assets of the Trust shall be valued at their fair market value on the date of valuation, as determined by the Trustee based upon such sources of information as it may deem reliable; provided, however, that the Plan Administrator shall instruct the Trustee as to valuation of assets which are not readily determinable on an established market. The Trustee may rely conclusively on such valuations provided by the Plan Administrator and shall be indemnified and held harmless by the Employer with respect to such reliance. If the Plan Administrator fails to provide such values, the Trustee may take whatever action it deems reasonable, including employment of attorneys, appraisers or other professionals, the expense of which will be an expense of administration of the Trust. Transactions in the account involving such hard to value assets may be postponed until appropriate valuations have been received and Trustee shall have no liability therefore.

5.5 Statements

(a) Periodically as specified, and within sixty days after December 31, or the end of the Trust's fiscal year if different, Trustee shall render to the Trust Administrator as directed, a written account showing in reasonable summary the investments, receipts, disbursements and other transactions engaged in by the Trustee during the preceding fiscal year or period with respect to the Trust. Such account shall set forth the assets and liabilities of the Trust valued as of the end of the accounting period.

(b) The Trust Administrator may approve such statements either by written notice or by failure to express objections to such statements by written notice delivered to the Trustee within 90 days from the date the statement is delivered to the Trust Administrator. Upon approval, the Trustee shall be released and discharged as to all matters and items set forth in such statement as if such

account had been settled and allowed by a decree from a court of competent jurisdiction.

5.6 Wire Transfers

The Trustee shall follow the Plan Administrator's, Delegate's, or Trust Administrator's wire transfer instructions in compliance with the written security procedures provided by the party providing the wire transfers. The Trustee shall perform a telephonic verification to the Plan Administrator, Trust Administrator, or Delegate, or such other security procedure as selected by the party providing wire transfer directions, prior to wiring funds or following facsimile directions as Trustee may require. The Plan Administrator assumes the risk of delay of transfer if Trustee is unable to reach the Plan Administrator, or in the event of delay as a result of attempts to comply with any other security procedure selected by the directing party.

5.7 Exclusive Benefit

The Assets of an Employer's Agency Account shall be held in trust for the exclusive purpose of funding the Employer's OPEB Obligation or Pension Obligation or both and defraying the reasonable expenses associated with the same and shall not be used for or diverted to any other purpose. No party shall have authority to use or divert the Assets of an Agency Account of an Employer for the satisfaction of any other Employer's Pension Obligation or OPEB Obligation or any other Employer's expenses.

5.8 Delegation of Duties

The Plan Administrator, Delegate, or Trust Administrator, may at any time retain the Trustee as its agent to perform any act, keep any records or accounts and make any computations that are required of the Plan Administrator, Delegate or Trust Administrator by this Trust Agreement or by the Plan. The Trustee may be compensated for such retention and such retention shall not be deemed to be contrary to this Trust Agreement.

5.9 Distributions

(a) The Trustee shall, from time to time, upon the written direction of the Plan Administrator or Delegate, make distributions from the Assets of the Trust under the OPEB Account to the insurers, third party administrators, service providers or other entities providing benefits or services under the OPEB Plan, or to Eligible Employees and Eligible Beneficiaries for reimbursement of OPEB Plan premiums (or other payments for OPEB Plan benefits) paid by the Eligible Employee or Eligible Beneficiary, or to the Employer for reimbursement of OPEB Plan benefits and expenses paid by the Employer, in such manner in such form(s), in such amounts and for such purposes as may be specified in such directions.

(b) In addition, the Trustee shall, from time to time, upon the written direction of the Plan Administrator or Delegatee, make distributions from the Assets of the Trust under the Pension Account directly to (i) the Qualified Trust as employer contributions, (ii) any insurers, third party administrators, service providers or other entities providing services in connection with determining the Employer's Pension Obligation, or (iii) the Employer as reimbursement for the Employer's payment of amounts described in this Section 5.9(b)(i) and (ii).

(c) In no event shall the Trustee have any responsibility respecting the application of distributions from the Assets of the Trust, or for determining or inquiring into whether such distributions are in accordance with the Employer's OPEB Plan, Pension Plan, policies, or applicable collective bargaining agreements.

ARTICLE VI

FIDUCIARY RESPONSIBILITIES

6.1 More Than One Fiduciary Capacity

Any one or more of the fiduciaries with respect to the Trust Agreement or the Trust may, to the extent required thereby or as directed by the Plan Administrator pursuant to this Trust Agreement, serve in more than one fiduciary capacity with respect to the Trust Agreement and the Trust.

6.2 Fiduciary Discharge of Duties

Except as otherwise provided by applicable law, each fiduciary shall discharge such fiduciary's duties with respect to the Trust Agreement and the Trust:

(a) solely in the interest of the Eligible Employees and for the exclusive purpose of funding the Employer's OPEB Obligation or Pension Obligation or both and defraying the reasonable expenses associated with the same; and

(b) with the care, skill, prudence, and diligence under the circumstances then prevailing that a prudent man acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of like character and with like aims.

6.3 Limitations on Fiduciary Responsibility

To the extent allowed by the laws of the state of each Employer:

No fiduciary shall be liable with respect to a breach of fiduciary duty by any other fiduciary if such breach was committed before such party became a fiduciary or after such party ceased to be a fiduciary.

No fiduciary shall be liable for a breach by another fiduciary except as provided by law.

No fiduciary shall be liable for carrying out a proper direction from another fiduciary, including refraining from taking an action in the absence of a proper direction from the other fiduciary possessing the authority and responsibility to make such a direction, which direction the fiduciary in good faith believes to be authorized and appropriate.

6.4 Indemnification of Trustee by Employer

The Trustee shall not be liable for, and Employer shall (to the extent allowed by the laws of the state of each Employer) indemnify, defend (as set out in Section 6.8 of this Trust Agreement), and hold the Trustee (including its officers, agents, employees and attorneys) and other Employers harmless from and against any claims, demands, loss, costs, expense or liability imposed on the indemnified party, including reasonable attorneys' fees and costs incurred by the indemnified party, arising as a result of Employer's active or passive negligent act or omission or willful misconduct in the execution or performance of its duties under this Trust Agreement.

6.5 Indemnification of Employer by Trustee

The Employer shall not be liable for, and Trustee shall (to the extent allowed by the laws of the state of each Employer) indemnify, defend (as set out in Section 6.8 of this Trust Agreement), and hold the Employer (including its officers, agents, employees and attorneys) and other Employers harmless from and against any claims, demands, loss, costs, expense or liability imposed on the indemnified party, including reasonable attorneys' fees and costs incurred by the indemnified party, arising as a result of Trustee's active or passive negligent act or omission or willful misconduct in the execution or performance of its duties under this Trust Agreement.

6.6 Indemnification of Trustee by Trust Administrator

The Trustee shall not be liable for, and Trust Administrator shall (to the extent allowed by the laws of the state of each Employer) indemnify and hold the Trustee (including its officers, agents, employees and attorneys) harmless from and against any claims, demands, loss, costs, expense or liability imposed on the indemnified party, including reasonable attorneys' fees and costs incurred by the indemnified party, arising as a result of Trust Administrator's active or passive negligent act or omission or willful misconduct in the execution or performance of its duties under this Trust Agreement.

6.7 Indemnification of Trust Administrator by Trustee

The Trust Administrator shall not be liable for, and Trustee shall (to the extent allowed by the laws of the state of each Employer) indemnify and hold the Trust

Administrator (including its officers, agents, employees and attorneys) harmless from and against any claims, demands, loss, costs, expense or liability imposed on the indemnified party, including reasonable attorneys' fees and costs incurred by the indemnified party, arising as a result of Trustee's active or passive negligent act or omission or willful misconduct in the execution or performance of its duties under this Trust Agreement.

6.8 Indemnification Procedures

Promptly after receipt by an indemnified party of notice or receipt of a claim or the commencement of any action for which indemnification may be sought, the indemnified party will notify the indemnifying party in writing of the receipt or commencement thereof. When the indemnifying party has agreed to provide a defense as set out above that party shall assume the defense of such action (including the employment of counsel, who shall be counsel reasonably satisfactory to such indemnitee) and the payment of expenses, insofar as such action shall relate to any alleged liability in respect of which indemnity may be sought against the indemnifying party. Any indemnified party shall have the right to employ separate counsel in any such action and to participate in the defense thereof, but the fees and expenses of such counsel shall not be at the expense of the indemnifying party unless (i) the employment of such counsel has been specifically authorized by the indemnifying party or (ii) the named parties to any such action (including any impleaded parties) include both the indemnifying party and the indemnified party and representation of both parties by the same counsel would be inappropriate due to actual or potential differing interest between them. The indemnifying party shall not be liable to indemnify any person for any settlement of any such action effected without the indemnifying party's consent. The indemnification procedures of this Trust Agreement shall survive the termination of the Trust, any Employer's participation in the Trust and/or this Trust Agreement.

6.9 No Joint and Several Liability

This document is not intended to and does not create any joint powers agreement or any joint and several liability. No Employer shall be responsible for any contributions, costs or distributions of any other Employer.

ARTICLE VII

AMENDMENT, TERMINATION AND MERGER

7.1 No Contractual Obligation

An Employer's participation in the Trust does not create, and is not intended to create, any contractual obligation to Eligible Employees. Therefore, no Employer is contractually obligated to Eligible Employees solely due to its participation in

the Trust to continue providing benefits under its Pension Plan or OPEB Plan or to make contributions to the Trust.

7.2 Amendment of Trust

(a) The Trust Agreement may be amended only by the approval of two-thirds (2/3) or more of the Employers then participating in the Trust. Any such amendment by the Employers shall be set forth in an instrument in writing and shall be delivered to the Trustee, the Trust Administrator and all Plan Administrators not less than one hundred and eighty (180) days before the effective date of such amendment; provided, however, that any party may waive in writing such 180-day requirement with respect to any amendment (and such waiver shall not constitute a waiver with respect to any other amendment); and provided, further, that a waiver in writing of such 180-day requirement by two-thirds (2/3) or more of the Plan Administrators of the Employers participating in the Trust as of the date the amendment is adopted shall constitute a waiver of such 180-day requirement by all of the Employers then participating in the Trust. In addition, the Trust Administrator or the Trustee shall have the right to amend this Trust Agreement from time to time (without the requirement of a vote of Employers) solely for the purpose of keeping the Trust Agreement in compliance with the Code and applicable state law. Any such amendment by the Trust Administrator or the Trustee shall be set forth in an instrument in writing and shall be delivered to the Trustee, the Trust Administrator and all Plan Administrators promptly as each is made.

(b) Any amendment of the Trust Agreement may be current, retroactive or prospective, provided, however, that no amendment shall:

(1) Cause the Assets of any Agency Account to be used for or diverted to purposes other than for the exclusive purpose of funding the Employer's OPEB Obligation or Pension Obligation or both and defraying the reasonable expenses associated with the same.

(2) Permit the Assets of any Agency Account to be used for the benefit of any other Employer.

7.3 Termination of Employer's Obligation to Provide Pension Benefits or OPEB

A termination of the Employer's obligation to provide benefits under the Employer's Pension Plan or OPEB Plan for which the Employer's Agency Account was established shall not, in itself, effect a termination of the Agency Account. Upon a termination of the Employer's obligation to provide benefits under its Pension Plan or OPEB Plan, the Assets of the Employer's Pension Account or OPEB Account, as applicable, will be distributed by the Trustee when directed by the Plan Administrator in accordance with this Section 7.3. From and after the date of such termination and until final distribution of all Assets under the Employer's Agency Account, the Trustee shall continue to have all the powers

provided herein as are necessary or expedient for the orderly liquidation and distribution of such Assets, and the Agency Account shall continue until the Assets have been completely distributed. Any Assets remaining in the Pension Account or OPEB Account will be used first to satisfy any remaining Pension Obligation or OPEB Obligation, respectively, pursuant to the Employer's Pension Plan or OPEB Plan (to the extent that such distribution constitutes the exercise of an "essential governmental function" within the meaning of Section 115 of the Code) and to satisfy any of such Employer's obligations under this Trust Agreement. Any Assets remaining in the Employer's Pension Account or OPEB Account (as applicable) after giving effect to the preceding sentence will be paid to the Employer to the extent permitted by law and consistent with the requirements of Section 115 of the Code.

7.4 Fund Recovery Based on Mistake of Fact

Except as hereinafter provided or in accordance with Section 7.3, the Assets of the Trust shall never inure to the benefit of the Employer. The Assets shall be held for the exclusive purpose of funding the Employer's OPEB Obligation or Pension Obligation or both and defraying the reasonable expenses associated with the same. However, in the case of a contribution which is made by an Employer because of a mistake of fact, that portion of the contribution relating to the mistake of fact (exclusive of any earnings or losses attributable thereto) may be returned to the Employer, provided such return occurs within two (2) years after discovery by the Employer of the mistake. If any repayment is payable to the Employer, then, as a condition to such repayment, and only if requested by Trustee, the Employer shall execute, acknowledge and deliver to the Trustee its written undertaking, in a form satisfactory to the Trustee, to indemnify, defend and hold the Trustee harmless from all claims, actions, demands or liabilities arising in connection with such repayment.

7.5 Termination of Trust

(a) The Trust and this Trust Agreement may be terminated by the unanimous agreement of all Employers, which action must be in writing and delivered to the Trustee and Trust Administrator. Upon termination of the Trust under this Section 7.5(a), the Assets of each Employer's Pension Account or OPEB Account, as applicable, will be distributed by the Trustee when directed by the Plan Administrator in accordance with this Section 7.5(a). From and after the date of such termination and until final distribution of all Assets under each Employer's Agency Account, the Trustee shall continue to have all the powers provided herein as are necessary or expedient for the orderly liquidation and distribution of such Assets, and the Agency Account shall continue until the Assets have been completely distributed. Any Assets remaining in the Pension Account or OPEB Account will be used first to satisfy any remaining Pension Obligation or OPEB Obligation, respectively, pursuant to the Employer's Pension Plan and OPEB Plan (to the extent that such distribution constitutes the exercise of an "essential governmental function" within the meaning of Section 115 of the Code) and to

satisfy any of such Employer's obligations under this Trust Agreement. Any Assets remaining in the Employer's Pension Account or OPEB Account (as applicable) after giving effect to the preceding sentence will be paid to the Employer to the extent permitted by law and consistent with the requirements of Section 115 of the Code.

(b) Contributions to the Trust are conditioned on initial qualification of the Trust under Section 115 of the Code. If the Trust receives an adverse determination with respect to its initial qualification, then the Trust and this Trust Agreement will automatically terminate without any action by any Employer or other parties. After such termination, the Assets of each Employer's Pension Account or OPEB Account, as applicable, will be returned by the Trustee to the Employer as directed by the Plan Administrator in accordance with this Section 7.5(b) to the extent permitted by law and consistent with the requirements of Section 115 of the Code. This Section 7.5(b) will cease to apply upon the Trust's receipt of a favorable determination with respect to its initial qualification.

(c) The Trust and this Trust Agreement may be terminated only as described in this Section 7.5. In no case will the assets of the Trust be distributed on termination to an entity that is not a state, a political subdivision of a state or an entity the income of which is excluded from gross income under Section 115 of the Code.

ARTICLE VIII

MISCELLANEOUS PROVISIONS

8.1 Nonalienation

Eligible Employees do not have an interest in the Trust. Accordingly, the Trust shall not in any way be liable to attachment, garnishment, assignment or other process, or be seized, taken, appropriated or applied by any legal or equitable process, to pay any debt or liability of an Eligible Employee or any other party. Trust Assets shall not be subject to the claims of any Employer or the claims of its creditors.

8.2 Saving Clause

In the event any provision of this Trust Agreement is held illegal or invalid for any reason, said illegality or invalidity shall not affect the remaining parts of the Trust Agreement, but this instrument shall be construed and enforced as if said provision had never been included.

8.3 Applicable Law

This Trust Agreement and the Trust shall be construed, administered and governed under the Code and the law of the State of California. To the extent any

of the provisions of this Trust Agreement are inconsistent with the Code or applicable state law, the provisions of the Code or state law shall control. In the event, however, that any provision is susceptible to more than one interpretation, such interpretation shall be given thereto as is consistent with the Trust Agreement being a tax-exempt trust within the meaning of the Code.

8.4 Joinder of Parties

In any action or other judicial proceedings affecting this Trust Agreement, it shall be necessary to join as parties only the Trustee, the Plan Administrator or Delegatee. No participant or other persons having an interest in the Trust or any Agency Account shall be entitled to any notice or service of process unless otherwise required by law. Any judgment entered in such a proceeding or action shall be binding on all persons claiming under this Trust Agreement; provided, however, that nothing in this Trust Agreement shall be construed as to deprive a participant of such participant's right to seek adjudication of such participant's rights under applicable law.

8.5 Employment of Counsel

The Trustee may consult with legal counsel (who may be counsel for the Trustee, the Trust Administrator or any Employer) with respect to the interpretation of this Agreement or the Trustee's duties hereunder or with respect to any legal proceedings or any questions of law and shall be entitled to take action or not to take action in good faith reliance on the advice of such counsel and charge the Trust and, as applicable, one or more Agency Accounts.

8.6 Gender and Number

Words used in the masculine, feminine or neuter gender shall each be deemed to refer to the other whenever the context so requires; and words used in the singular or plural number shall each be deemed to refer to the other whenever the context so requires.

8.7 Headings

Headings used in this Trust Agreement are inserted for convenience of reference only and any conflict between such headings and the text shall be resolved in favor of the text.

8.8 Counterparts

This Trust Agreement may be executed in an original and any number of counterparts by the Plan Administrator (executing an Adoption Agreement), the Trust Administrator and the Trustee, each of which shall be deemed to be an original of the one and the same instrument.

IN WITNESS WHEREOF, the Plan Administrator (by executing the Adoption Agreement), the Trustee and the Trust Administrator have executed this Trust Agreement by their duly authorized agents on the Effective Date.

U.S. BANK NATIONAL ASSOCIATION

"Trustee"

By: 
Signature

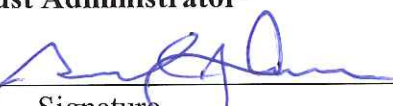
Susan M. Hughes

Typed or printed name

Its: Vice President & Relationship Manager

**PUBLIC AGENCY
RETIREMENT SERVICES**

"Trust Administrator"

By: 
Signature

Daniel Johnson

Typed or printed name

Its: President

**ADOPTION AGREEMENT
for the
POST-EMPLOYMENT SECTION 115 TRUST**

A.1.1. Trust agreement with U.S. Bank National Association (the “Bank”) (the “Trust Agreement”):

Post-Employment Section 115 Trust. Public Agencies Post-Employment Benefits—Trust Agreement, effective November 5, 2014

A.1.2. OPEB Plan: Public Agencies Post-Employment Health Care Plan

The plan document for the OPEB Plan is the Public Agencies Post-Employment Health Care Plan—Master Plan Document, effective as of November 5, 2014 (the “Plan Document”).

A.1.3. Pension Plan:

A.1.4. Pension Plan’s effective date:

☐ (Check if applicable) Additional Pension Plans (and their respective effective dates) are listed on an exhibit attached hereto.

A.2.1. Employer:

Name:

U.S. mail address:

Phone number:

EIN:

Fiscal year end:

A.2.2. Plan Administrator:

Position at Employer:

Incumbent:

U.S. mail address:

Phone number:

Email address:

A.3.1 **Adoption.** The Employer hereby:

A.3.1.1. Adopts the Trust Agreement as part of the (*Check one or both of the following boxes.*):

- ☐ OPEB Plan
- ☐ Pension Plan

(each such plan separately, the “Plan”) and agrees to be bound by the Trust Agreement’s terms, effective as of the Employer’s signature date below and subject to the investment approach selected below.

A.3.1.2. *The following provisions apply if and only if the **OPEB Plan** box above is checked:* (i) Adopts the Plan Document and agrees to be bound by the Plan Document’s terms, effective as of the Employer’s signature date below and (ii) acknowledges that the determination of Eligible Employees and Eligible Beneficiaries is finally and conclusively made by the Employer according to the Employer’s applicable policies and collective bargaining agreements and without reference to the Trust Agreement.

A.3.1.3. Ratifies, affirms, and approves Employer’s appointment of Phase II Systems as Trust Administrator and represents and warrants that attached hereto is a fully-executed original of Employer’s Agreement for Administrative Services with Phase II Systems, d/b/a Public Agency Retirement Services (PARS).

A.3.1.4. Agrees that capitalized terms used herein but not defined herein shall have the same meaning attributed to them as in the Trust Agreement or Plan Document, as the case may be.

A.4.1. The Employer hereby represents and warrants that:

A.4.1.1. **Authorizing Law.** Employer has reviewed with its legal counsel and has determined that Employer is authorized to establish and maintain the Plan and to establish a financial-institution trust (separate and apart from the state) for the Plan, including the authority to adopt the Trust Agreement.

A.4.1.2. **Authorizing Resolution.** Attached hereto is a certified copy of a resolution of the Employer’s governing body authorizing the adoption of the Trust Agreement as part of the Plan and authorizing the appointment of the Plan Administrator designated by position of employment at the Employer to act on the Employer’s behalf in all matters relating to the trust;

A.4.1.3. **Tax Status.** The Plan is a “governmental plan” as defined in Section 414(d) of the Internal Revenue Code of 1986, as amended; is a “Section 401(a)(24) governmental plan” as defined in Revenue Ruling 2011-1; and is not subject to Federal income taxation. The Plan’s governing document expressly provides that it is irrevocably impossible for any part of the corpus or income of the Plan to be used for, or diverted to, purposes other than for the exclusive benefit of the Plan participants and their beneficiaries. The Pension Plan is a qualified plan under Code Section 401(a). (In addition, the Employer hereby acknowledges that the Plan is prohibited from assigning any part of its equity or interest in the trust.)

A.4.2. Investment Approach.

4.2.1. *The following provisions apply if and only if the **OPEB Plan** box above is checked:*
OPEB Account. OPEB Account assets are invested in the discretion of (*check one and only one of the following boxes*):

Discretionary investment approach:

- ☐ The Bank, subject to **Exhibit A (Investment Strategy Selection and Disclosure Form)** hereto.

Directed investment approach:

- ☐ The Plan Administrator.
- ☐ The following registered investment adviser, bank (other than the Bank), or insurance company (a “Third-Party Manager”): _____ . The Employer hereby represents and warrants that attached hereto is an executed copy of the agreement with the above appointed Third Party Manager.

4.2.2. *The following provisions apply if and only if the **Pension Plan** box above is checked:*
Pension Account. Pension Account assets are invested in the discretion of (*check one and only one of the following boxes*):

Discretionary investment approach:

- ☐ The Bank, subject to **Exhibit A (Investment Strategy Selection and Disclosure Form)** hereto.

Directed investment approach:

- ☐ The Plan Administrator.
- ☐ The following registered investment adviser, bank (other than the Bank), or insurance company (a “Third-Party Manager”): _____ . The Employer hereby represents and warrants that attached hereto is an executed copy of the agreement with the above appointed Third Party Manager.

[signature page follows]

EMPLOYER

By: _____

Its: _____

Date: _____

Accepted by:

**PHASE II SYSTEMS, DBA PUBLIC AGENCY
RETIREMENT SERVICES (PARS)**

By: _____

Its: _____

Date: _____

U.S. BANK NATIONAL ASSOCIATION

By: _____

Its: _____

Date: _____

Internal Revenue Service

Department of the Treasury
Washington, DC 20224

Index Number: 115.00-00

Third Party Communication: None
Date of Communication: Not Applicable

U.S. Bank National Association
c/o Susan Hughes, Vice President
3121 Michelson Drive (Suite 300)
Irvine, CA 92612

Person To Contact:
Robin J. Ehrenberg, ID No. 1000219292
Telephone Number:
(202) 317-5800
Refer Reply To:
CC:TEGE:EOEG:EO3
PLR-146796-14
Date: June 5, 2015

Legend

Trust	=	Public Agencies Post-Employment Benefits Trust
Trust Agreement	=	Public Agencies Post-Employment Benefits Trust Agreement
Trustee	=	U.S. Bank National Association

Dear Ms. Hughes:

This letter responds to a letter from your authorized representative dated December 22, 2014, requesting rulings that (1) the Trust's income is excludable from gross income under section 115 of the Internal Revenue Code (IRC) and (2) the Trust is not required to file annual federal income tax returns under IRC section 6012(a)(4). The Trust represents the facts as follows:

FACTS

The Trust is a multiple employer trust established to enable public-agency employers to fund post-retirement employee benefits. Each participating employer must be a public agency that is a state, political subdivision of a state, or an entity the income of which is excludable from gross income under IRC section 115. The employer's governing body must authorize in writing the adoption of the Trust and the employer must execute the adoption agreement, which approves the Trust's administrator and provides that the agency adopts and agrees to be bound by the Trust Agreement. In the adoption agreement, the employer elects to fund obligations to provide benefits under a post-employment health care plan and contribute to a defined-benefit pension plan maintained by the employer that is qualified under IRC section 401(a). The employer may elect to fund either or both obligations.

The Trust Agreement provides that assets are held by the Trust for the exclusive purpose of funding participating employers' benefit obligations and defraying the reasonable expenses of the Trust. The Trust's assets may not be used for any other purpose. Each employer's contributions to the Trust, together with any allocable investment earnings and losses, are held in a separate account for that employer. Assets allocated to satisfy an employer's health and welfare benefit obligation or the employer's pension obligation may only be used for purposes of satisfying that particular obligation. The assets held in an employer's account are not available to pay any obligations incurred by any other employer.

The employers appoint the Trustee and the Trust's administrator and may remove the Trustee or the administrator by a two-thirds vote of all employers. The employers may amend the Trust Agreement with the approval of two-thirds of all employers then participating in the Trust. The employers may terminate the Trust by unanimous agreement of all employers.

Upon termination of the Trust, any assets remaining in an employer's account, after satisfaction of benefit and the Trust's obligations are returned to the employer to the extent permitted by law and consistent with the requirements of IRC section 115.

LAW AND ANALYSIS

Issue 1 - IRC section 115(1)

IRC section 115(1) provides that gross income does not include income derived from any public utility or the exercise of any essential governmental function and accruing to a state or any political subdivision thereof.

Rev. Rul. 77-261, 1977-2 C.B. 45, holds that income generated by an investment fund that is established by a state to hold revenues in excess of the amounts needed to meet current expenses is excludable from gross income under IRC section 115(1), because such investment constitutes an essential governmental function. The ruling explains that the statutory exclusion is intended to extend not to the income of a state or municipality resulting from its own participation in activities, but rather to the income of an entity engaged in the operation of a public utility or the performance of some governmental function that accrues to either a state or political subdivision of a state. The ruling points out that it may be assumed that Congress did not desire in any way to restrict a state's participation in enterprises that might be useful in carrying out projects that are desirable from the standpoint of a state government and that are within the ambit of a sovereign to conduct.

Rev. Rul. 90-74, 1990-2 C.B. 34, holds that the income of an organization formed, funded, and operated by political subdivisions to pool various risks (e.g., casualty, public liability, workers' compensation, and employees' health) is excludable from gross income under IRC section 115(1), because the organization is performing an essential governmental function. The revenue ruling states that the income of such an organization is excludable from gross income so long as private interests do not participate in the organization or benefit more than incidentally from the organization. The benefit to the employees of the insurance coverage obtained by the member political subdivisions was deemed incidental to the public benefit.

Through the Trust, participating public agency employers fund health and welfare and pension obligations for retired employees. Each of the Trust's participating employers is required to be a state, political subdivision of a state or an entity the income of which is excludable from gross income under IRC section 115. Providing health, welfare and pension benefits to current and former employees constitutes the performance of an essential government function within the meaning of IRC section 115(1). See Rev. Rul. 90-74 and Rev. Rul. 77-261.

The Trust's income accrues to its participating employers, all of which are political subdivisions of a state or entities the income of which is excludable from gross income under IRC section 115. No private interests will participate in, or benefit from, the operation of Trust, other than as providers of goods or services. The benefit to employees is incidental to the public benefit. See Rev. Rul. 90-74.

In no event, including dissolution, will the Trust's assets be distributed or revert to any entity that is not a state, a political subdivision of a state, or entity the income of which is excludable from its gross income by application of IRC section 115(1).

Issue 2- IRC section 6012(a)(4)

Section 301.7701-1(b) of the Procedure and Administration Regulations (Regulations) provides that the classification of organizations that are recognized as separate entities is determined under sections 301.7701-2, 301.7701-3, and 301.7701-4, unless a provision of the IRC provides for special treatment of that organization.

Section 301.7701-4(a) of the Regulations provides that, in general, an arrangement will be treated as if it can be shown that the purpose of the arrangement is to vest in trustees responsibility for the protection and conservation of property for beneficiaries who cannot share in the discharge of this responsibility and, therefore, are not associates in a joint enterprise for the conduct of business for profit.

The Trust enables public-agency employers to set aside funds to be used to satisfy each employer's separate pension and health and welfare benefit obligations. The

Trustee is charged with the responsibility of the protection and conservation of the Trust property for the benefit of the beneficiaries of the Trust. The beneficiaries of the Trust cannot share in the discharge of the Trustee's responsibility for the protection and conservation of property and, therefore, are not associates in a joint enterprise for the conduct of business for profit. IRC section 6012(a)(4) provides that every trust having for the taxable year any taxable income or having gross income of \$600 or more, regardless of the amount of taxable income, shall make returns with respect to income taxes under Subtitle A.

Based solely on the facts and representations submitted by the Trust, we conclude that:

1. Because the income of the Trust derives from the exercise of an essential governmental function and will accrue to a state or a political subdivision thereof, the Trust's income is excludable from gross income under IRC section 115(1).
2. The Trust is classified as a trust within the meaning of IRC section 7701(a) and section 301.7701-4(a) of the Regulations. Because Trust's income is excludable from gross income under IRC section 115, the Trust is not required by IRC section 6012(a)(4) to file an annual income tax return.

Except as expressly provided herein, no opinion is expressed or implied concerning the tax consequences of any aspect of any transaction or item discussed or referenced in this letter. This ruling concerns only the federal tax treatment of the Trust's income and may not be cited or relied upon by any taxpayer, including the Trust, employers participating in the Trust, and any recipients of benefits paid under the terms of the Trust, as to any matter relating to the taxation of accident or health contributions or benefits.

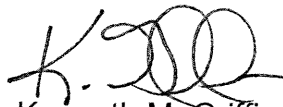
This ruling is directed only to the taxpayer who requested it. IRC section 6110(k)(3) provides that it may not be used or cited as precedent.

In accordance with the Power of Attorney on file with this office, a copy of this letter is being sent to your authorized representative.

A copy of this letter must be attached to any income tax return to which it is relevant. Alternatively, taxpayers filing their returns electronically may satisfy this requirement by attaching a statement to their return that provides the date and control number of the letter ruling.

The rulings contained in this letter are based upon information and representations submitted by the taxpayer and accompanied by a penalty of perjury statement executed by an appropriate party. While this office has not verified any of the material submitted in support of the request for rulings, it is subject to verification on examination.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Griffin', with a stylized flourish at the end.

Kenneth M. Griffin
Branch Chief, Exempt Organizations Branch 3
(Tax Exempt and Government Entities)

cc: Marcus Wu
Pillsbury Winthrop Shaw Pittman LLP
12255 El Camino Real, Suite 300
San Diego, CA 92130-4088

Paul Marmolejo
Director, Office of Federal, State and Local Governments
SE:T:GE:FSL

Investment Strategy Selection and Disclosure Form

PARS Pension / OPEB Trust Program

■ This document is entered into by client and U.S. Bank National Association ("U.S. Bank"), as trustee.

■ Employer: _____

■ Plan/Trust Name: Public Agencies Post-Employment Benefits Trust

■ To: HighMark Capital Management, Inc. and U.S. Bank:

U.S. Bank has been or is hereby appointed Investment Manager of the above-referenced Plan/Trust. Please invest the assets of the above-referenced Plan/Trust for which you have been appointed Investment Manager in the **(select one of the strategies listed below for each Plan funded by the Trust):**

DIVERSIFIED PORTFOLIOS	<input type="checkbox"/> OPEB Account	<input type="checkbox"/> Pension Account	Primary Goal	Strategic Range
	<input type="checkbox"/> Liquidity Management (US Treasury)	<input type="checkbox"/> Liquidity Management (US Treasury)	Provide current income with liquidity and stability of principal through investments in short-term U.S. Treasury obligations.	Money Market Fund
	<input type="checkbox"/> Liquidity Management (Prime Obligation)	<input type="checkbox"/> Liquidity Management (Prime Obligation)	Generate current income with liquidity.	Money Market Fund
	<input type="checkbox"/> Conservative HighMark PLUS <input type="checkbox"/> Conservative Index PLUS	<input type="checkbox"/> Conservative HighMark PLUS <input type="checkbox"/> Conservative Index PLUS	Provide a consistent level of inflation-protected income over the long-term.	Equity: 5-20% Fixed Income: 60-95% Cash: 0-20%
	<input type="checkbox"/> Moderately Conservative HighMark PLUS <input type="checkbox"/> Moderately Conservative Index PLUS	<input type="checkbox"/> Moderately Conservative HighMark PLUS <input type="checkbox"/> Moderately Conservative Index PLUS	Provide current income with capital appreciation as a secondary objective.	Equity: 20-40% Fixed Income: 50-80% Cash: 0-20%
	<input type="checkbox"/> Moderate HighMark PLUS <input type="checkbox"/> Moderate Index PLUS	<input type="checkbox"/> Moderate HighMark PLUS <input type="checkbox"/> Moderate Index PLUS	Provide current income and moderate capital appreciation.	Equity: 40-60% Fixed Income: 40-60% Cash: 0-20%
	<input type="checkbox"/> Balanced HighMark PLUS <input type="checkbox"/> Balanced Index PLUS	<input type="checkbox"/> Balanced HighMark PLUS <input type="checkbox"/> Balanced Index PLUS	Provide growth of principal and income.	Equity: 50-70% Fixed Income: 30-50% Cash: 0-20%
	<input type="checkbox"/> Capital Appreciation HighMark PLUS <input type="checkbox"/> Capital Appreciation Index PLUS	<input type="checkbox"/> Capital Appreciation HighMark PLUS <input type="checkbox"/> Capital Appreciation Index PLUS	Primary goal is growth of principal.	Equity: 65-85% Fixed Income: 10-30% Cash: 0-20%
	<input type="checkbox"/> Custom	<input type="checkbox"/> Custom	Specify:	

Note: HighMark PLUS portfolios are diversified portfolios of actively managed mutual funds. Index PLUS portfolios are diversified portfolios of Index-based mutual funds or exchange-traded funds.

Acknowledged and Approved	
Signature of Authorized Signer _____	Title _____
Print Name of Authorized Signer _____	Date _____

Discretionary Trustee Fee Schedule

PARS Pension / OPEB Trust Program

This document is entered into by client and U.S. Bank National Association ("U.S. Bank"), as trustee.

Discretionary Trustee Fees

Discretionary Trustee Fees are based on the Investment Strategy you select. Following is a list of the Discretionary Trustee Fees applicable to each Investment Strategy:

- **Liquidity – First American U.S. Treasury Money Market** – Fund level fees only (see prospectus)
- **Liquidity – First American Prime Obligation Fund Class Z** – Fund level fees only (see prospectus)
- **Diversified Portfolios (Conservative, Moderately Conservative, Moderate, Balanced, Capital Appreciation)**

Per Annum Charges*

.35% on the first	\$5,000,000
.25% on the next	\$5,000,000
.20% on the next	\$5,000,000
.15% on the next	\$35,000,000
.10% on all over	\$50,000,000

*Waived for plan assets invested in First American and Nationwide/HighMark funds where HighMark Capital Management is the sub-adviser of the fund.

Other Fees

First American Mutual Funds (see prospectus)

Payment of Fees

- Market values used for fee calculations on fee invoices may differ slightly from market values on client statements due to posting of accruals, late pricing of securities and/or other timing issues.
- Fees are calculated and charged to the account monthly. If account cannot be charged after 30 days, fees not paid will be subject to a late charge of 1% per month on the unpaid balance.
- Changes to this Fee Schedule may be made at any time by U.S. Bank upon a sixty (60) days notice.

Acknowledged and Approved

Public Agencies Post-Employment Benefits Trust

Name of Plan/Trust

Name of Employer

Name of Authorized Signer for Employer

Title

Signature of Authorized Signer for Employer

Date

U.S. Bank and its representatives do not provide tax or legal advice. Each client's tax and financial situation is unique. Clients should consult their tax and/or legal advisor for advice and information concerning their particular situation.

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City approving an amendment to the salary schedule of the Management employee group to change the title of the existing Management Information Systems Manager. (Human Resources)

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: March 20, 2018

AGENDA ITEM NO. |

ITEM TITLE:

Resolution of the City Council of the City of National City approving an amendment to the salary schedule of the Management employee group to change the title of the existing Management Information Systems Manager

PREPARED BY: Lilia Muñoz

PHONE: 336-4309

DEPARTMENT: Human Resources

APPROVED BY:



EXPLANATION:

On March 8, 2018, the Civil Service Commission of the City of National City voted unanimously to revise the job description for the existing job classification of Management Information Systems Manager to Information Technology Manager.

With this item, staff seeks to amend the Management employee group salary schedule to change the title of the existing Management Information Systems Manager to Information Technology Manager.

FINANCIAL STATEMENT:

ACCOUNT NO.

There is no fiscal impact associated with this request.

APPROVED: _____ **Finance**

APPROVED: _____ **MIS**

ENVIRONMENTAL REVIEW:

This is not a project and, therefore, is not subject to environmental review.

ORDINANCE: **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

STAFF RECOMMENDATION:

Adopt staff's recommended revision to the salary schedule for the Management employee group.

BOARD / COMMISSION RECOMMENDATION:

On March 8, 2018, the Civil Service Commission voted unanimously to approve the request as described above.

ATTACHMENTS:

Resolution
Management Group Salary Schedule
March 8, 2018 Report to the Civil Service Commission

City of National City
Human Resources Department

MANAGEMENT EMPLOYEE GROUP SALARY SCHEDULE

March 20, 2018

POSITION TITLE	SALARY BAND (MONTHLY)	SALARY BAND (ANNUAL)
Asst Director of PW/Engineering	\$ 4,594.04 – \$ 11,846.99	\$ 55,128.48 – \$ 142,163.88
Battalion Chief	\$ 5,316.96 – \$ 10,746.90	\$ 63,803.52 – \$ 128,962.80
Building Official	\$ 7,087.16 – \$ 10,539.12	\$ 85,045.92 – \$ 126,469.44
Community Development Manager	\$ 7,287.50 – \$ 10,047.88	\$ 87,450.00 – \$ 120,574.56
Community Development Specialist III	\$ 4,465.78 – \$ 8,897.39	\$ 53,589.36 – \$ 106,768.68
Deputy City Attorney	\$ 6,841.11 – \$ 10,033.63	\$ 82,093.32 – \$ 120,403.56
Deputy Director of Human Resources	\$ 7,287.50 – \$ 10,047.88	\$ 87,450.00 – \$ 120,574.56
Equipment Maint Supervisor	\$ 3,229.82 – \$ 8,551.09	\$ 38,757.84 – \$ 102,613.08
Facilities Maint Supervisor	\$ 3,229.82 – \$ 7,268.49	\$ 38,757.84 – \$ 87,221.88
Financial Services Officer	\$ 4,174.28 – \$ 9,985.04	\$ 50,091.36 – \$ 119,820.48
Housing Programs Manager	\$ 4,255.90 – \$ 9,339.89	\$ 51,070.80 – \$ 112,078.68
Information Technology Manager	\$ 4,279.22 – \$ 10,235.15	\$ 51,350.64 – \$ 122,821.80
Management Analyst I	\$ 3,116.72 – \$ 6,165.46	\$ 37,400.64 – \$ 73,985.52
Management Analyst II	\$ 3,542.31 – \$ 7,006.85	\$ 42,507.72 – \$ 84,082.20
Management Analyst III	\$ 3,964.40 – \$ 7,848.23	\$ 47,572.80 – \$ 94,178.76
Neighborhood Council Coordinator	\$ 3,964.40 – \$ 7,848.23	\$ 47,572.80 – \$ 94,178.76
Neighborhood Services Manager	\$ 3,229.82 – \$ 8,551.09	\$ 38,757.84 – \$ 102,613.08
Nutrition Program Manager	\$ 3,229.82 – \$ 8,412.57	\$ 38,757.84 – \$ 100,950.84
Park Superintendent	\$ 3,229.82 – \$ 8,412.57	\$ 38,757.84 – \$ 100,950.84
PIO/Mgmt Analyst III	\$ 3,964.40 – \$ 7,848.23	\$ 47,572.80 – \$ 94,178.76
Police Captain	\$ 5,410.24 – \$ 13,720.67	\$ 64,922.88 – \$ 164,648.04
Police Support Services Manager	\$ 3,964.40 – \$ 7,848.23	\$ 47,572.80 – \$ 94,178.76

City of National City
Human Resources Department

MANAGEMENT EMPLOYEE GROUP SALARY SCHEDULE
March 20, 2018

POSITION TITLE	SALARY BAND (MONTHLY)	SALARY BAND (ANNUAL)
Principal Civil Engineer	\$ 7,795.88 – \$ 10,539.12	\$ 93,550.56 – \$ 126,469.44
Principal Librarian	\$ 3,766.18 – \$ 8,604.96	\$ 45,194.16 – \$ 103,259.52
Principal Planner	\$ 4,465.78 – \$ 8,897.39	\$ 53,589.36 – \$ 106,768.68
Project Officer	\$ 4,465.78 – \$ 8,897.39	\$ 53,589.36 – \$ 106,768.68
Purchasing Agent	\$ 4,255.90 – \$ 9,339.89	\$ 51,070.80 – \$ 112,078.68
Recreation Superintendent	\$ 3,229.82 – \$ 8,412.57	\$ 38,757.84 – \$ 100,950.84
Risk Manager	\$ 4,174.28 – \$ 9,981.19	\$ 50,091.36 – \$ 119,774.28
Senior Accountant	\$ 3,264.80 – \$ 7,489.10	\$ 39,177.60 – \$ 89,869.20
Special Assistant to the Mayor	\$ 3,542.31 – \$ 7,006.85	\$ 42,507.72 – \$ 84,082.20
Street Maintenance Supervisor	\$ 3,229.82 – \$ 7,268.49	\$ 38,757.84 – \$ 87,221.88
Street & Wastewater Maint Superintendent	\$ 3,229.82 – \$ 8,412.57	\$ 38,757.84 – \$ 100,950.84
Traffic Engineer	\$ 6,056.20 – \$ 10,235.15	\$ 72,674.40 – \$ 122,821.80
Wastewater Supervisor	\$ 3,229.82 – \$ 7,268.49	\$ 38,757.84 – \$ 87,221.88



CITY OF NATIONAL CITY
MEMORANDUM

DATE: March 8, 2018

TO: City of National City Civil Service Commission

FROM: Stacey Stevenson, Deputy City Manager

SUBJECT: Request to Amend Class Specifications for Management Information Systems Technician I, Management Information Systems Technician II and Management Information Systems Manager; and to change the titles to Information Technology Technician, Information Technology Analyst and Information Technology Manager, respectively.

Consistent with staff's practice of periodically reviewing classifications and class specifications, a recent review of the Management Information Systems (MIS) series was conducted. The classifications in the series are Management Information Systems Technician I, Management Information Systems Technician II and Management Information Systems Manager. The classification specifications for this series were created in May, 1999 and have not been revised in the last 19 years. Information Systems, or IT as it is commonly referred, is an ever evolving field. Working with the MIS Manager, staff sought to update the duty statements and the minimum qualifications based on current workplace norms and expectations for these positions providing varied technical support organization wide.

In addition to the description of the duties and the minimum qualifications, staff determined that the naming convention adopted in 1999 is inconsistent with the current industry naming convention for such positions in other cities in the San Diego region. Further, the naming convention of MIS Technician I and II has caused some confusion among staff and applicants. In general, the designations of I and II are often used to differentiate entry level from journey level. In the case of the City's MIS series, the MIS Technician I is the designation for the positions that provide support for the City's desktop systems with the MIS Technician II denoting those that provide network systems support. As such, one position is not subordinate to the other nor entry level. Both positions are journey level, performing different IT duties. The proposed new titles are intended to eliminate such confusion and be more reflective of the field.

RECOMMENDATION

- a. Approve the amended classification specifications for Management Information Systems Technician I, Management Information Systems Technician II and Management Information Systems Manager.
- b. Approve the title changes for the Management Information series as follows:

Current Title	Proposed Title
Management Information Systems Technician I	Information Technology Technician
Management Information Systems Technician II	Information Technology Analyst
Management Information Systems Manager	Information Technology Manager

Attachments:

- Current Management Information Systems series classification specifications
- Draft Information Technology series classification specifications

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City amending the addendum to Rule II, Section 206A of the Civil Service Rules to allow for a career advanceable progression from Payroll Technician I to Payroll Technician II. (Human Resources)

CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

MEETING DATE: March 20, 2018

AGENDA ITEM NO. |

ITEM TITLE:

Resolution of the City Council of the City of National City amending the addendum to Rule II, Section 206A of the Civil Service Rules to allow for a career advanceable progression from Payroll Technician I to Payroll Technician II

PREPARED BY: Lilia Muñoz

PHONE: 336-4309

DEPARTMENT: Human Resources

APPROVED BY: 

EXPLANATION:

City of National City Civil Service Rules (CSR) I, II and III allow for a Career Advancement program in the City's classification and promotion system. As prescribed, the Career Advancement program allows the City to budget and classify certain positions at the journey level but recruit for and hire individuals at a trainee or entry level. Once the incumbent has the appropriate tenure and has demonstrated competence, s/he is eligible to move up to the next level in the series, without competition until s/he reaches the journey level (or lower if the position is classified below the journey level). The job classifications that are eligible for the Career Advancement program are outlined in the addendum to CSR II, Section 206A. There are currently four career advanceable series in the City: Junior Engineer-Civil to Assistant Engineer-Civil; Accountant Trainee to Accountant; Code Conformance Officer I to Code Conformance Officer II; and Management Analyst Trainee to Management Analyst I/II.

On March 8, 2018 the Civil Service Commission of the City of National City voted unanimously to amend the addendum to Civil Service Rule II, Section 206A to allow for the inclusion of the payroll series. As amended, the Payroll Technician I classification would be career advanceable to Payroll Technician II.

FINANCIAL STATEMENT:

APPROVED: _____ **Finance**

ACCOUNT NO.

APPROVED: _____ **MIS**

There is no direct fiscal impact associated with this item.

ENVIRONMENTAL REVIEW:

This is not a project and, therefore, is not subject to environmental review.

ORDINANCE: ☐ **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

STAFF RECOMMENDATION:

Adopt the resolution amending the addendum to Civil Service Rule II, Section 206A allowing for the inclusion of Payroll Technician I in the City's Career Advancement program.

BOARD / COMMISSION RECOMMENDATION:

The Civil Service Commission voted unanimously to approve the amendment as described above.

ATTACHMENTS:

Resolution
Civil Service Rule II, Section 206 and the Addendum to Section 206A
March 8, 2018 report to the Civil Service Commission

Civil Service Rule II – Classification of Positions

SECTION 206 – CAREER ADVANCEMENT: In an effort to provide for the recruitment, advancement and retention of capable employees, it shall be the policy of the Civil Service Commission to provide for appropriate classifications to implement “career advancement” training programs.

Through the career advancement program, when vacancies occur at or below journey-level in a career advanceable series, the Personnel Director shall have the authority to recruit and underfill the position at any of the lower level classes within the series. Upon gaining the experience and skills required for advancement, an incumbent underfilling a position shall become eligible for promotion to the higher levels in the series in succession until reaching the classified level of the position.

The career advancement program and applicable procedure will apply only to recognized career advancement classifications listed in the Addendum to this section of the Civil Service Rules.
(10/06/09)

ADDENDUM TO CIVIL SERVICE RULE II

SECTION 206A – CAREER ADVANCEMENT

CAREER ADVANCEABLE SERIES

Entry Level Classification

Promotional Opportunity

Engineering

Junior Engineer – Civil



Assistant Engineer – Civil

Fiscal

Accountant Trainee



Accountant

Payroll Technician I



Payroll Technician II

Inspection

Code Conformance Officer I



Code Conformance Officer II

Management

Management Analyst Trainee




Management Analyst I/II



CITY OF NATIONAL CITY
M E M O R A N D U M

DATE: March 8, 2018

TO: City of National City Civil Service Commission

FROM: Stacey Stevenson, Deputy City Manager 

SUBJECT: Request for the creation of a Payroll Technician series through the creation of a new classification of Payroll Technician I; a title change of the existing Payroll Technician to Payroll Technician II; the designation of Payroll Technician I as career advanceable to Payroll Technician II through an amendment of Civil Service Rule II, Section 206A.

The City of National City classification system includes the single incumbent classification of Payroll Technician responsible for: performing a variety of responsible and complex clerical and accounting work in the preparation of City payroll; and maintaining related records and reports. With this request, staff seeks to create an entry-level classification of Payroll Technician I.

After having been filled by the same incumbent for many years, the Payroll Technician position was vacated in November, 2017. Human Resources staff has determined, after a review of the minimum qualifications, that it is likely that none of the City's clerical and administrative staff will meet the qualifications of three (3) years of fiscal recordkeeping, with at least one (1) year of payroll preparation and administration. In an effort to provide existing employees with an opportunity to compete for what would be a promotion, staff seeks to create an entry-level classification. Creation of an entry-level classification will allow for a promotional opportunity for exiting clerical and administrative staff while preserving the minimum qualifications of the existing journey-level Payroll Technician classification. A draft of the proposed classification specification for Payroll Technician I is attached to this request.

To differentiate between the two classifications (that of the existing Payroll Technician and the proposed Payroll Technician I), staff also seeks a change in title from Payroll Technician to Payroll Technician II. The requested change is intended to differentiate the two classifications that would make up the proposed series and is consistent with the naming convention of the City of National City and other cities within the San Diego region. The duties of the current Payroll Technician classification and all other terms and conditions of employment would remain the same.

Finally, because the proposed Payroll Technician I classification is intended to be an entry-level classification, staff further requests an amended to Civil Service Rule II, Section 206A to allow for a career advanceable progression from Payroll Technician I to the journey level Payroll Technician II.

RECOMMENDATIONS

- a. Approve the creation of a new classification titled Payroll Technician I and the corresponding classification specification.
- b. Approve the title change of Payroll Technician to Payroll Technician II.
- c. Amend Civil Service Rule II, Section 206A to allow for a career advanceable progression from Payroll Technician I to Payroll Technician II.

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City approving an amendment to the salary schedule for the Confidential employee group to add the newly created classification of Payroll Technician I at \$3,446.92 - \$4,189.74 per month (range c082);

CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

MEETING DATE: March 20, 2018

AGENDA ITEM NO. |

ITEM TITLE:

Resolution of the City Council of the City of National City approving an amendment to the salary schedule for the Confidential employee group to add the newly created classification of Payroll Technician I at \$3,446.92 - \$4,189.74 per month (range c082); and change the titles of the existing Payroll Technician, Management Information Systems Technician I and Management Information Systems Technician II classifications

PREPARED BY: Lilia Muñoz

DEPARTMENT: Human Resources

PHONE: 336-4309

APPROVED BY:



EXPLANATION:

Currently, the City classification and compensation system includes one job classification designated for administration of the City's payroll functions. That classification is the journey-level Payroll Technician. On March 8, 2018, the Civil Service Commission of the City of National City voted unanimously to create an entry level job classification titled Payroll Technician I. As a means of articulating the progression from the entry-level classification to the journey-level, the Commission further voted to change the title of the existing Payroll Technician classification to Payroll Technician II.

At the same meeting, the Civil Commission voted unanimously to revise the job descriptions for the existing job classifications of Management Information Systems I and Management Information Technician II to Information Technology Technician and Information Technology Analyst, respectively.

All of the classifications discussed above fall within the Confidential employee group. With this item, staff seeks to amend the Confidential salary schedule to:

- add the new classification, Payroll Technician I at a pay rate of \$3,446.92 - \$4,189.74 per month (range c082)
- change the title of the existing Payroll Technician classification to Payroll Technician II
- change to titles of the existing Management Information Systems Technician I and Management Information Systems II to Information Technology Technician and Information Technology Analyst, respectively

FINANCIAL STATEMENT:

APPROVED: _____ **Finance**

ACCOUNT NO.

APPROVED: _____ **MIS**

There is no fiscal impact associated with this request.

ENVIRONMENTAL REVIEW:

This is not a project and, therefore, is not subject to environmental review.

ORDINANCE: ☐ **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

STAFF RECOMMENDATION:

Adopt staff's recommended revisions to the salary schedule for the Confidential employee group.

BOARD / COMMISSION RECOMMENDATION:

On March 8, 2018, the Civil Service Commission voted unanimously to approve the requests as described above.

ATTACHMENTS:

Resolution
Confidential Employee Group Salary Schedule
March 8, 2018 Reports to the Civil Service Commission

**CITY OF NATIONAL CITY
CONFIDENTIAL EMPLOYEES SALARY SCHEDULE
EFFECTIVE DATE 03/20/2018**


TITLE/RANGE		STEP A	STEP B	STEP C	STEP D	STEP E
Information Technology Analyst c144						
	BI-WEEKLY	2,701.04	2,836.09	2,977.90	3,126.79	3,283.13
	MONTHLY	5,852.26	6,144.87	6,452.12	6,774.72	7,113.46
	ANNUAL	70,227.11	73,738.46	77,425.38	81,296.65	85,361.49
	HOURLY	33.76	35.45	37.22	39.08	41.04
Information Technology Technician c130						
	BI-WEEKLY	2,372.98	2,491.63	2,616.21	2,747.02	2,884.37
	MONTHLY	5,141.45	5,398.52	5,668.45	5,951.87	6,249.46
	ANNUAL	61,697.40	64,782.27	68,021.38	71,422.45	74,993.57
	HOURLY	29.66	31.15	32.70	34.34	36.05
Executive Assistant IV c115						
	BI-WEEKLY	2,154.58	2,262.31	2,375.43	2,494.20	2,618.91
	MONTHLY	4,668.26	4,901.67	5,146.75	5,404.09	5,674.30
	ANNUAL	56,019.10	58,820.05	61,761.05	64,849.11	68,091.56
	HOURLY	26.93	28.28	29.69	31.18	32.74
Executive Assistant III c109						
	BI-WEEKLY	2,040.87	2,142.92	2,250.06	2,362.56	2,480.69
	MONTHLY	4,421.89	4,642.98	4,875.13	5,118.89	5,374.83
	ANNUAL	53,062.66	55,715.79	58,501.58	61,426.66	64,497.99
	HOURLY	25.51	26.79	28.13	29.53	31.01
Executive Assistant II c101						
	BI-WEEKLY	1,897.73	1,992.62	2,092.25	2,196.86	2,306.70
	MONTHLY	4,111.75	4,317.34	4,533.20	4,759.86	4,997.86
	ANNUAL	49,340.99	51,808.04	54,398.44	57,118.36	59,974.28
	HOURLY	23.72	24.91	26.15	27.46	28.83
Payroll Technician II c092						
	BI-WEEKLY	1,749.97	1,837.47	1,929.35	2,025.81	2,127.10
	MONTHLY	3,791.61	3,981.19	4,180.25	4,389.26	4,608.73
	ANNUAL	45,499.33	47,774.30	50,163.01	52,671.16	55,304.72
	HOURLY	21.87	22.97	24.12	25.32	26.59
Confidential Assistant (At-Will) c092						
	BI-WEEKLY	1,749.97	1,837.47	1,929.35	2,025.81	2,127.10
	MONTHLY	3,791.61	3,981.19	4,180.25	4,389.26	4,608.73
	ANNUAL	45,499.33	47,774.30	50,163.01	52,671.16	55,304.72
	HOURLY	21.87	22.97	24.12	25.32	26.59
Executive Assistant I c087						
	BI-WEEKLY	1,673.39	1,757.06	1,844.92	1,937.16	2,034.02
	MONTHLY	3,625.68	3,806.97	3,997.32	4,197.18	4,407.04
	ANNUAL	43,508.21	45,683.62	47,967.81	50,366.20	52,884.51
	HOURLY	20.92	21.96	23.06	24.21	25.43
Payroll Technician I c082						
	BI-WEEKLY	1,590.89	1,670.43	1,753.95	1,841.65	1,933.72
	MONTHLY	3,446.92	3,619.26	3,800.22	3,990.25	4,189.74
	ANNUAL	41,363.09	43,431.11	45,602.69	47,882.97	50,276.82
	HOURLY	19.89	20.88	21.92	23.02	24.17



CITY OF NATIONAL CITY
M E M O R A N D U M

DATE: March 8, 2018

TO: City of National City Civil Service Commission

FROM: Stacey Stevenson, Deputy City Manager 

SUBJECT: Request for the creation of a Payroll Technician series through the creation of a new classification of Payroll Technician I; a title change of the existing Payroll Technician to Payroll Technician II; the designation of Payroll Technician I as career advanceable to Payroll Technician II through an amendment of Civil Service Rule II, Section 206A.

The City of National City classification system includes the single incumbent classification of Payroll Technician responsible for: performing a variety of responsible and complex clerical and accounting work in the preparation of City payroll; and maintaining related records and reports. With this request, staff seeks to create an entry-level classification of Payroll Technician I.

After having been filled by the same incumbent for many years, the Payroll Technician position was vacated in November, 2017. Human Resources staff has determined, after a review of the minimum qualifications, that it is likely that none of the City's clerical and administrative staff will meet the qualifications of three (3) years of fiscal recordkeeping, with at least one (1) year of payroll preparation and administration. In an effort to provide existing employees with an opportunity to compete for what would be a promotion, staff seeks to create an entry-level classification. Creation of an entry-level classification will allow for a promotional opportunity for exiting clerical and administrative staff while preserving the minimum qualifications of the existing journey-level Payroll Technician classification. A draft of the proposed classification specification for Payroll Technician I is attached to this request.

To differentiate between the two classifications (that of the existing Payroll Technician and the proposed Payroll Technician I), staff also seeks a change in title from Payroll Technician to Payroll Technician II. The requested change is intended to differentiate the two classifications that would make up the proposed series and is consistent with the naming convention of the City of National City and other cities within the San Diego region. The duties of the current Payroll Technician classification and all other terms and conditions of employment would remain the same.

Finally, because the proposed Payroll Technician I classification is intended to be an entry-level classification, staff further requests an amended to Civil Service Rule II, Section 206A to allow for a career advanceable progression from Payroll Technician I to the journey level Payroll Technician II.

RECOMMENDATIONS


- a. Approve the creation of a new classification titled Payroll Technician I and the corresponding classification specification.
- b. Approve the title change of Payroll Technician to Payroll Technician II.
- c. Amend Civil Service Rule II, Section 206A to allow for a career advanceable progression from Payroll Technician I to Payroll Technician II.



CITY OF NATIONAL CITY
MEMORANDUM

DATE: March 8, 2018

TO: City of National City Civil Service Commission

FROM: Stacey Stevenson, Deputy City Manager 

SUBJECT: Request to Amend Class Specifications for Management Information Systems Technician I, Management Information Systems Technician II and Management Information Systems Manager; and to change the titles to Information Technology Technician, Information Technology Analyst and Information Technology Manager, respectively.

Consistent with staff's practice of periodically reviewing classifications and class specifications, a recent review of the Management Information Systems (MIS) series was conducted. The classifications in the series are Management Information Systems Technician I, Management Information Systems Technician II and Management Information Systems Manager. The classification specifications for this series were created in May, 1999 and have not been revised in the last 19 years. Information Systems, or IT as it is commonly referred, is an ever evolving field. Working with the MIS Manager, staff sought to update the duty statements and the minimum qualifications based on current workplace norms and expectations for these positions providing varied technical support organization wide.

In addition to the description of the duties and the minimum qualifications, staff determined that the naming convention adopted in 1999 is inconsistent with the current industry naming convention for such positions in other cities in the San Diego region. Further, the naming convention of MIS Technician I and II has caused some confusion among staff and applicants. In general, the designations of I and II are often used to differentiate entry level from journey level. In the case of the City's MIS series, the MIS Technician I is the designation for the positions that provide support for the City's desktop systems with the MIS Technician II denoting those that provide network systems support. As such, one position is not subordinate to the other nor entry level. Both positions are journey level, performing different IT duties. The proposed new titles are intended to eliminate such confusion and be more reflective of the field.

RECOMMENDATION

- a. Approve the amended classification specifications for Management Information Systems Technician I, Management Information Systems Technician II and Management Information Systems Manager.
- b. Approve the title changes for the Management Information series as follows:

Current Title	Proposed Title
Management Information Systems Technician I	Information Technology Technician
Management Information Systems Technician II	Information Technology Analyst
Management Information Systems Manager	Information Technology Manager

Attachments:

- Current Management Information Systems series classification specifications
- Draft Information Technology series classification specifications

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City authorizing 1) The acceptance of the FY 2017/2018 San Diego County Law Enforcement Foundation Grant and 2) The establishment of a Police Department grants fund appropriation and corresponding rev

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: |

AGENDA ITEM NO.

ITEM TITLE:

Resolution of the City Council of the City of National City authorizing 1) The acceptance of the FY 2017/2018 San Diego County Law Enforcement Foundation Grant and 2) The establishment of a Police Department grants fund appropriation and corresponding revenue budget of \$2715.30 for the purchase of nine red carrier vests for the National City Police Department Range Staff.

PREPARED BY: Wade Walters, Police Sergeant

DEPARTMENT: Police

PHONE: (619) 336-4544

APPROVED BY: 
3-06-18

EXPLANATION:

The San Diego County Law enforcement Foundation (SDCLEF) is a nonprofit 501 C(3) corporation composed of community members dedicated to providing financial support to law enforcement agencies in San Diego County. The financial support is distributed in the form of equipment grants, scholarship, for continuing education, a Family Assistance Fund for families of officers killed in the line of duty, and other programs as deemed worthy by the SDCLEF. Each year, the SDCLEF establishes a budget for grants to be shared among all San Diego County law enforcement agencies. On January 4th, 2018, the SDCLEF Board of Directors awarded the National City Police Department a grant in the amount of \$2715.30 to purchase (9) red carrier vests for the National City Police Department Range Staff. These vests will provide safety for the range staff during range training. The National City Police Department received a check from SDCLEF in the amount of \$2715.30 on February 26, 2018.

FINANCIAL STATEMENT:

APPROVED:  Finance

ACCOUNT NO. 001-411-000-305-0000 (Expenditure) \$2715.30
001-11000-3470 (Revenue) \$2715.30

APPROVED: MIS

The FY 2017/2018 SDCLEF grant does not require a match or in-kind contribution; therefore there is no impact on the general fund.

ENVIRONMENTAL REVIEW:

Not Applicable

ORDINANCE: INTRODUCTION: ☐ FINAL ADOPTION: ☐

STAFF RECOMMENDATION:

Staff recommends the City Council adopt the resolution

BOARD / COMMISSION RECOMMENDATION:

Not applicable

ATTACHMENTS:

San Diego County Law Enforcement Foundation Award Letter and a copy of the check.

Michael E Musgrove

January 24, 2018

San Diego County Law Enforcement Foundation
2565 Discovery Road
Carlsbad, CA 92009
michaelmusgrove1507@gmail.com

Sgt. Jeff Etzler
National City Police Department
1243 National City Blvd.
National City, CA 91950

Dear Sergeant Etzler:

Please find enclosed a check for \$2,715.30, as a grant award for the purchase of 9 carrier vests for your department, as requested. The membership and Grants Committee of the San Diego County Law Enforcement Foundation extends our appreciation for your department's service to our community. We hope these tools facilitate you in your important work.

If you have any questions regarding this matter, please don't hesitate to contact me at 858-232-4096.

Sincerely,

Michael E Musgrove

Treasurer/CFO, San Diego County Law Enforcement Foundation

Enclosure

Cc: Ed Musgrove, President SDCLEF (ed.musgrove@cox.net)

Cal Turley (cal@luthurley.com)

2565 Discovery Road
Carlsbad, CA 92009

michaelmusgrove1507@gmail.com
858-232-4096

**SAN DIEGO COUNTY
LAW ENFORCEMENT FOUNDATION
POST OFFICE BOX 81087
SAN DIEGO, CA 92138-1087
Telephone (619) 482 9544**

1-4-2018

Re: Equipment Grants

National City PD

1200 National City Blvd.

National City, CA. 91950

Attention: Sergeant Jeff Etzler

Sergeant Etzler,

The SDCLEF is proud to inform you that your request for purchase of 9 carrier vest in the amount of \$2,715.30 has been approved.

Please contact our Treasurer, Michael Musgrove, @ Michael.musgrove@IQVIA.com or 858-232-4096 to make arrangements for reimbursement or funds to purchase the equipment.

The members of the San Diego County Law Enforcement Foundation acknowledge the work done by our local law enforcement agencies and appreciate an opportunity such as these grants to express our Thanks.

Sincerely,



Cal Turley

SDCLEF

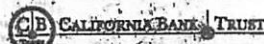
Grants Committee Chair

DOCUMENT INCLUDES VISIBLE FIBERS, CHEMICAL REACTIVE PROPERTIES AND FEATURES A FOI HOLDGRAM



SAN DIEGO COUNTY LAW ENFORCEMENT FNDTN

PO BOX 81087
SAN DIEGO, CA 92138



2119

La Mesa Office
5500 Grossmont Center Dr., Suite 408
La Mesa, California 91942
CBT 1-800-400-6080 www.calbanktrust.com 1/24/2018
90-3210/1222

PAY TO THE
ORDER OF

The City Of National City

\$ **2,715.30

DOLLARS

Two Thousand Seven Hundred Fifteen and 30/100*****

National City Police Dept.
1243 National City Blvd.
National City, CA 91950

MEMO

National City PD Grant 2017/2018 24 Jan 2018

TRUE WATERMARK PAPER HOLD TO LIGHT TO VIEW

PAPER CONTAINS TONER ADHESION PROPERTIES

HEAT SENSITIVE RED IMAGE DISAPPEARS WITH HEAT

⑈002119⑈ ⑆122232109⑆ 2010116551⑈

The following page(s) contain the backup material for Agenda Item: Temporary Use Permit - Kidz Fest Community Easter Egg Hunt sponsored by Cornerstone Church of San Diego at 1914 Sweetwater Road on March 31, 2018 from 10 a.m. to 2 p.m. with no waiver of fees. (Neighborhood Services)

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: March 20, 2018

AGENDA ITEM NO. |

ITEM TITLE:

Temporary Use Permit "Kidz Fest" Community Easter Egg Hunt sponsored by Cornerstone Church of San Diego at 1914 Sweetwater Road on March 31, 2018 from 10 a.m. to 2 p.m. with no waiver of fees.

PREPARED BY: Dionisia Trejo

DEPARTMENT: Neighborhood Services Department

PHONE: (619) 336-4255

APPROVED BY: 

EXPLANATION:

This is a request from the Cornerstone Church of San Diego to conduct an Easter egg hunt at 1914 Sweetwater Road on March 31, 2018 from 10 a.m. to 2 p.m. Set up for the event will commence at 7 a.m. on the day of the event. This event will include an Easter egg hunt for appropriate age groups, face painting, amusement rides, inflatable bouncer slide, rock climbing wall, music stage with monitored sound system and eating areas with tables and chairs. Free games will be provided.

This year the organization decided to change the event location from Las Palmas Park to Cornerstone Church of San Diego at 1914 Sweetwater Road to be able to make a closer connection with families.

Note: This event was approved by Council in 2016 and 2017 with no waiver of fees.

FINANCIAL STATEMENT:

APPROVED: _____ **Finance**

ACCOUNT NO.

APPROVED: _____ **MIS**

City fee of \$237.00 for processing the TUP, plus \$700.00 for the Fire Inspection.
Total fees: \$937.00

ENVIRONMENTAL REVIEW:

N/A

ORDINANCE: INTRODUCTION: ☐

FINAL ADOPTION: ☐

STAFF RECOMMENDATION:

Approve the Application for a Temporary Use Permit subject to compliance with all conditions of approval with no waive of fees or in accordance to City Council Policy 802.

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

Application for a Temporary Use Permit with recommended conditions of approval.



City of National City ■ Neighborhood Services Department
1243 National City Boulevard ■ National City, CA 91950
(619) 336-4364 ■ fax (619) 336-4217
www.nationalcityca.gov

Special Event Application

Type of Event

- ☒ Fair/Festival ☐ Parade/March ☐ Walk or Run ☐ Concert/Performance
☐ TUP ☐ Sporting Event ☐ Other (specify) _____

Event Name & Location

Event Title "Kidz Fest" (Community Easter Egg Hunt)

Event Location (list all sites being requested) Cornerstone Church of San Diego

Event Times

Set-Up Starts
Date 03/31/18 Time 7:00am Day of Week Saturday

Event Starts
Date 03/31/18 Time 10:00am Day of Week Saturday

Event Ends
Date 03/31/18 Time 2:00pm Day of Week Saturday

Breakdown Ends
Date 03/31/18 Time 5:00pm Day of Week Saturday



Applicant Information

Applicant (Your name) Shannon Bryant Sponsoring Organization Cornerstone Church

Event Coordinator (if different from applicant) N/A

Mailing Address 1914 Sweetwater Rd National City 91950

Day Phone 619-425-9333 After Hours Phone 619-841-8082 Cell _____ Fax _____

Public Information Phone 619-425-9333 E-mail shannon@turningthehearts.com

Applicant agrees to investigate, defend, indemnify and hold harmless the City, its officers, employees and agents from and against any and all loss, damage, liability, claims, demands, detriments, costs, charges, expense (including attorney's fees) and causes of action of any character which the City, its officers, employees and agents may incur, sustain or be subjected to on account of loss or damage to property or the loss of use thereof and for bodily injury to or death of any persons (including but not limited to the employees, subcontractors, agents and invitees of each party hereto) arising out of or in any way connected to the occupancy, enjoyment and use of any City premises under this agreement to the extent permitted by law.

Applicant understands this TUP/special event may implicate fees for City services, which will have to be paid in the City's Finance Department 48 hours prior to the event set-up. The undersigned also understands and accepts the City's refund policy for application processing and facility use and that fees and charges are adjusted annually and are subject to change.

Signature of Applicant: Shannon Bryant Digitally signed by Shannon Bryant
Date: 2017.02.15 11:36:48 -08'00' Date 12/28/17

Special Event Application (continued)

Please complete the following sections with as much detail as possible since fees and requirements are based on the information you provide us.

Fees/Proceeds/Reporting

Is your organization a "Tax Exempt, nonprofit" organization? Yes ☒ No ☐

Are admission, entry, vendor or participant fees required? Yes ☐ No ☒

If YES, please explain the purpose and provide amount (s):

\$ 0 Estimated Gross Receipts including ticket, product and sponsorship sales from this event.

\$ 10,000 Estimated Expenses for this event.

\$ 0 What is the projected amount of revenue that the Nonprofit Organization will receive as a result of this event?

Description of Event

☐ First time event ☒ Returning Event ☐ include site map with application

Note that this description may be published in our City Public Special Events Calendar:

Special areas for appropriate age group egg hunt. Face painting, music and fun for kids.

Eating areas with tables and chairs. Free games provided.

Estimated Attendance

Anticipated # of Participants: 1500 Anticipated # of Spectators: 1000

Traffic Control, Security, First Aid and Accessibility

Requesting to close street(s) to vehicular traffic? Yes ☐ No ☒

List any streets requiring closure as a result of the event (provide map): _____

Date and time of street closure: _____ Date and time of street reopening: _____

☐ Other (explain) _____

Requesting to post "no parking" notices? Yes ☐ No ☒

☐ Requested "No Parking" on city streets and/or parking lots (list streets/parking lots) (provide map): _____

☐ Other (explain) _____

Security and Crowd Control

Depending on the number of participants, your event may require Police services.

Please describe your procedures for both Crowd Control and Internal Security: Cornerstone Church
security and traffic ministries.

Have you hired Professional Security to handle security arrangements for this event?

Yes ☐ No ☒ If YES, name and address of Security Organization _____

Security Director (Name): _____ Phone: _____

If using the services of a professional security firm AND the event will occur on City property, please provide a copy of its insurance certificate, evidencing liability with limits of at least \$1 Million dollars per occurrence/\$2 Million dollars aggregate, as well as and additional insured endorsement naming the City of National City, its officers, employees, and agents as additional insureds. Evidence of insurance must be provided by the vendor or its insurer to the City's Risk Manager for review and approval prior to the event.

Is this a night event? Yes ☐ No ☒ If YES, please state how the event and surrounding area will be illuminated to ensure safety of the participants and spectators: _____

First Aid

Depending on the number of participants, your event may require specific First Aid services.

First aid station to be staffed by event staff? Yes ☒ No ☐ First aid/CPR certified? Yes ☒ No ☐

☐ First aid station to be staffed by professional company. ► Company _____

Accessibility

Please describe your Accessibility Plan for access at your event by individuals with disabilities:
Event will be held on our property which meets ADA standards. Facility restrooms will be used.

Elements of your Event

Setting up a stage? Yes ☒ No ☐

☐ Requesting City's PA system

☐ Requesting City Stage; if yes, which size? ☐ Dimensions (13x28) ☐ Dimensions (20x28)

☒ Applicant providing own stage ► 20x28 (Dimensions)

Setting up canopies or tents?

10 # of canopies size 10X10

of tents size

☐ No canopies/tents being set up

Setting up tables and chairs?

☒ Furnished by Applicant or Contractor

10 # of tables ☐ No tables being set up

100 # of chairs ☐ No chairs being set up

☐ (For City Use Only) Sponsored Events – Does not apply to co-sponsored events

of tables ☐ No tables being set up

of chairs ☐ No chairs being set up

Contractor Name _____

Contractor Contact Information _____
Address City/State Phone Number

Setting up other equipment?

☐ Sporting Equipment (explain) _____

☐ Other (explain) _____

☒ Not setting up any equipment listed above at event

Having amplified sound and/or music? Yes ☒ No ☐

☒ PA System for announcements ☒ CD player or DJ music

☒ Live Music ▶ ☒ Small 4-5 piece live band ▶ ☐ Large 6+ piece live band

☐ Other (explain) _____

If using live music or a DJ. ▶ Contractor Name Cornerstone Worship Ministry
▶ 1914 Sweetwater Rode National City, CA 619-425-9333
Address City/State Phone Number

Using lighting equipment at your event? Yes ☐ No ☒

☐ Bringing in own lighting equipment

☐ Using professional lighting company ▶ Company Name _____

Address City/State Phone Number

Using electrical power? Yes ☒ No ☐

☒ Using on-site electricity ☒ For sound and/or lighting ☐ For food and/or refrigeration

☒ Bringing in generator(s) ☒ For sound and/or lighting ☐ For food and/or refrigeration

Vendor Information

PLEASE NOTE: You may be required to apply for a temporary health permit if food or beverages are sold or given away during your special event. Also see 'Permits and Compliance' on page 8 in the Special Event Guide. For additional information on obtaining a temporary health permit, please contact the County of San Diego Environmental Health at (619) 338-2363.

Having food and non-alcoholic beverages at your event? Yes ☒ No ☐

☐ Vendors preparing food on-site ▶ # _____ ▶ Business License # _____

If yes, please describe how food will be served and/or prepared: _____

If you intend to cook food in the event area please specify the method:
☒ GAS ☐ ELECTRIC ☒ CHARCOAL ☐ OTHER (Specify): _____

☐ Vendors bringing pre-packaged food ▶ # ¹ _____ ▶ Business License # _____

☐ Vendors bringing bottled, non-alcoholic beverages (i.e., bottled water, can soda, etc.) ▶ # _____

☐ Vendors selling food # _____ ▶ Business License #(s) _____

☐ Vendors selling merchandise # _____ ▶ Business License #(s) _____

☒ Food/beverages to be handled by organization; no outside vendors

☐ Vendors selling services # _____ ▶ Business License #(s) _____

▶ Explain services _____

☐ Vendors passing out information only (no business license needed) # _____

▶ Explain type(s) of information _____

☐ No selling or informational vendors at event

Having children activities? Yes ☒ No ☐

PLEASE NOTE: In the event inflatable jumps are provided at the event, The City of National City requires commercial liability insurance with limits of at least \$1 Million dollars per occurrence/\$2 Million dollars aggregate. In addition, the City of National City must be named as an Additional Insured pursuant to a separate endorsement, which shall be provided by the vendor or its insurer to the City's Risk Manager, along with the Certificate of Insurance, for approval prior to the event. The application should be filed out at least one week prior to the event. There is a \$25 fee to process the permit application. For questions or to obtain a copy of the "Facility Use Application", please contact the Engineering/Public Works Department at (619) 336-4580.

☒ Inflatable bouncer house # ² _____ ☒ Rock climbing wall Height ^{32'} _____

☒ Inflatable bouncer slide # ³ _____ ☒ Arts & crafts (i.e., craft making, face painting, etc.)

☒ Other ^{2-3 child amusement rides} _____

Having fireworks or aerial display? Yes ☐ No ☒

☐ Vendor name and license # _____

Dimensions _____ Duration _____

Number of shells _____ Max. size _____

PLEASE NOTE: In the event fireworks or another aerial display is planned for your event, The City of National City requires commercial liability insurance with limits of at least \$2 Million dollars per occurrence/ \$4 Million dollars aggregate. In addition, the City of National City must be named as an Additional Insured pursuant to a separate endorsement, which shall be provided by the vendor or its insurer to the City's Risk Manager, along with the Certificate of Insurance, for approval prior to the event. Depending on the size and/or nature of the fireworks display, the City reserves the right to request higher liability limits. The vendor must also obtain a fireworks permit from the National City Fire Department and the cost is \$502.00

Arranging for media coverage? Yes ☒ No ☐

☒ Yes, but media will not require special set-up

☐ Yes, media will require special set-up. Describe _____

Event Signage

PLEASE NOTE: For City sponsored or co-sponsored events, banners publicizing the event may be placed on the existing poles on the 1800 block and 3100 block of National City Boulevard. The banners must be made to the City's specifications. Please refer to the City's Special Event Guidebook and Fee Schedule for additional information.

Are you planning to have signage at your event? Yes ☒ No ☐

☒ Yes, we will post signage # 1 Dimensions 8x12

☐ Yes, having inflatable signage # _____ ➤ (complete Inflatable Signage Request form)

☐ Yes, we will have banners # 2

☐ What will signs/banners say? Event title, activities, date and hours

☐ How will signs/banners be anchored or mounted? poles

Waste Management

PLEASE NOTE: One toilet for every 250 people is required, unless the applicant can show that there are sufficient facilities in the immediate area available to the public during the event.

Are you planning to provide portable restrooms at the event? Yes ☐ No ☒

If yes, please identify the following:

► Total number of portable toilets: _____

► Total number of ADA accessible portable toilets: _____

☐ Contracting with portable toilet vendor. ▶ _____

► Load-in Day & Time _____ ► Load-out Day & Time _____

☐ Portable toilets to be serviced. ➤ Time _____

Set-up, Breakdown, Clean-up

Setting up the day before the event?

☐ Yes, will set up the day before the event. ▶ # of set-up day(s) _____

☐ No, set-up will occur on the event day

Requesting vehicle access onto the turf?

☐ Yes, requesting access onto turf for set-up and breakdown (complete attached Vehicle Access Request form)

☒ No, vehicles will load/unload from nearby street or parking lot.

NPDES-Litter Fence

- ☐ City to install litter fence
- ☐ Applicant to install litter fence
- ☒ N/A

Breaking down set-up the day after the event?

- ☐ Yes, breakdown will be the day after the event. ► # of breakdown day(s) _____
- ☒ No, breakdown will occur on the event day.

How are you handling clean-up?

- ☐ Using City crews
- ☒ Using volunteer clean-up crew during and after event.
- ☐ Using professional cleaning company during and after event.

Miscellaneous

Please list anything important about your event not already asked on this application:

**Please make a copy of this application for your records.
We do not provide copies.**



Special Events

Pre-Event Storm Water Compliance Checklist

I. Special Event Information

Name of Special Event:	Community Easter Egg Hunt		
Event Address:	Cornerstone Church of San Diego	Expected # of Attendees:	1500
Event Host/Coordinator:	Shannon Bryant	Phone Number:	619-425-9333

II. Storm Water Best Management Practices (BMPs) Review

	YES	NO	N/A
Will enough trash cans provided for the event? Provide number of trash bins: <u>6</u>	X		
Will enough recycling bins provided for the event? Provide number of recycle bins: <u>4</u>	X		
Will all portable toilets have secondary containment trays? (exceptions for ADA compliant portable toilets)			X
Do all storm drains have screens to temporarily protect trash and debris from entering?			X
Are spill cleanup kits readily available at designated spots?			X

* A Post-Event Storm Water Compliance Checklist will be completed by City Staff.

City of National City

PUBLIC PROPERTY USE HOLD HARMLESS AND INDEMNIFICATION AGREEMENT

Persons requesting use of City property, facilities or personnel are required to provide a minimum of \$1,000,000 combined single limit insurance for bodily injury and property damage which includes the City, its officials, agents and employees named as additional insured and to sign the Hold Harmless Agreement. Certificate of insurance must be attached to this permit. The insurance company issuing the insurance policy must have a A.M. Best's Guide Rating of A:VII and that the insurance company is a California admitted company; if not, then the insurance policy to the issuance of the permit for the event. The Certificate Holder must reflect:

City of National City
Risk Management Department
1243 National City Boulevard
National City, CA 91950

Organization: Cornerstone Church of San Diego

Person in Charge of Activity: Mike Ramirez

Address: 1914 Sweetwater Road National City, CA. 91950

Telephone: _____ Date(s) of Use: _____

HOLD HARMLESS AGREEMENT

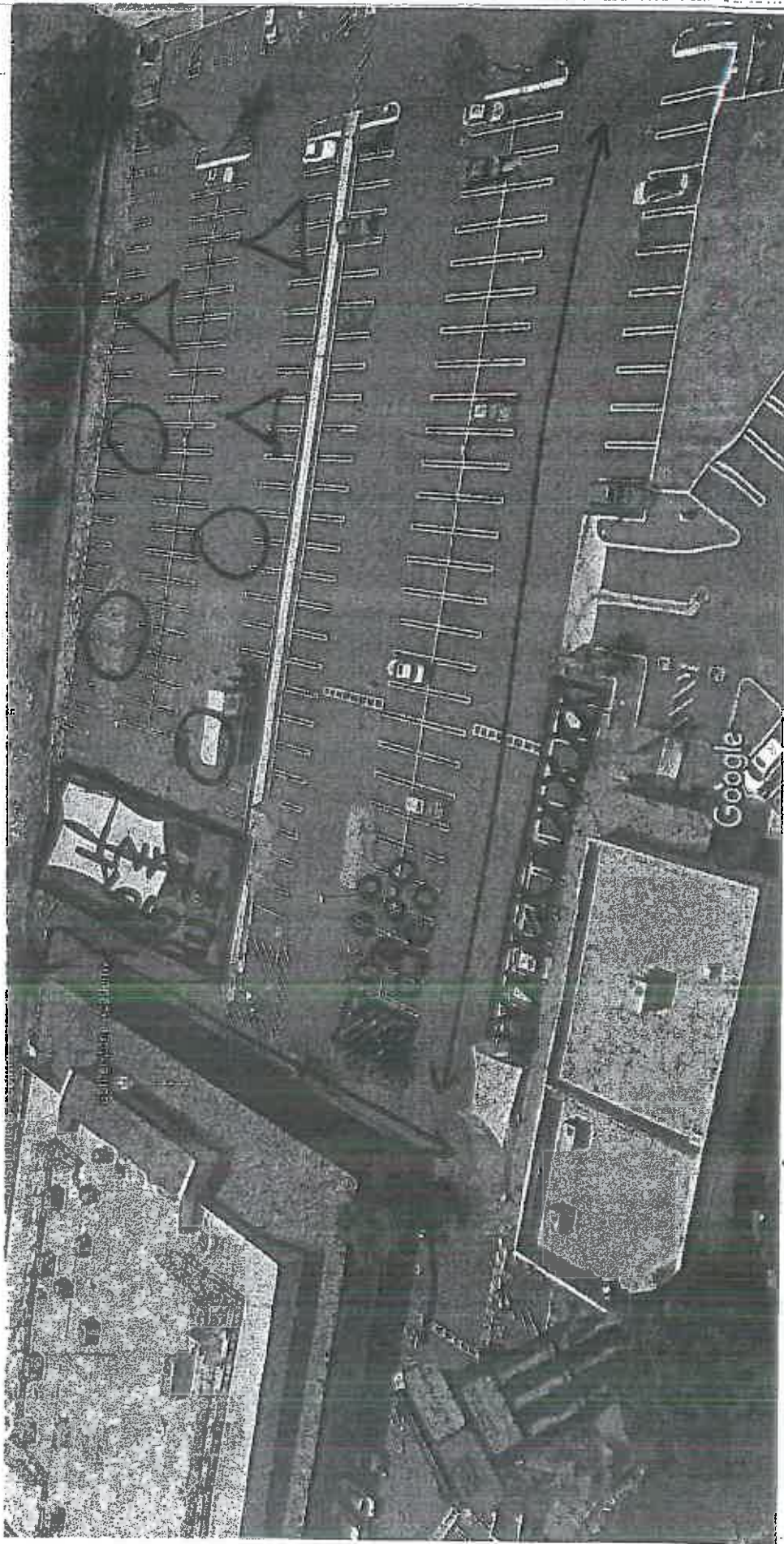
As a condition of the issuance of a temporary use permit to conduct its activities on public or private property, the undersigned hereby agree(s) to defend, indemnify and hold harmless the City of National City and the Parking Authority and its officers, employees and agents from and against any and all claims, demands, costs, losses, liability or, for any personal injury, death or property damage, or both, or any litigation and other liability, including attorneys fees and the costs of litigation, arising out of or related to the use of public property or the activity taken under the permit by the permittee or its agents, employees or contractors.

Signature of Applicant: Shannon Bryant Digitally signed by Shannon Bryant
Date: 2017.02.15 15:12:35 -08'00'

Official Title: _____ Date: _____

For Office Use Only

Certificate of Insurance Approved _____ Date _____



Imagery ©2018 Google, Map Data ©2018 Google 20 ft

○ Inflatables

△ Kiddie rides

▨ stage

▨XXXXX Food area

○ Tables/chairs

↔ Fire lane/path

**CITY OF NATIONAL CITY
NEIGHBORHOOD SERVICES DEPARTMENT
APPLICATION FOR A TEMPORARY USE PERMIT
RECOMMENDATIONS AND CONDITIONS**

SPONSORING ORGANIZATION: Cornerstone Church of San Diego
EVENT: "Kidz Fest" Community Easter Egg Hunt
DATE OF EVENT: March 31, 2018

APPROVALS:

DEVELOPMENT SERVICES	YES [x]	NO []	SEE CONDITIONS [x]
RISK MANAGER	YES [x]	NO []	SEE CONDITIONS [x]
PUBLIC WORKS	YES [x]	NO []	SEE CONDITIONS []
FINANCE	YES [x]	NO []	SEE CONDITIONS [x]
FIRE	YES [x]	NO []	SEE CONDITIONS [x]
POLICE	YES [x]	NO []	SEE CONDITIONS [x]
CITY ATTORNEY	YES [x]	NO []	SEE CONDITIONS [x]
COMMUNITY SERVICES	YES [x]	NO []	SEE CONDITIONS []
NEIGHBORHOOD SERVICES	YES [x]	NO []	SEE CONDITIONS [x]

CONDITIONS OF APPROVAL:

DEVELOPMENT SERVICES (619) 336-4318

Building

No comments

Planning

All activities shall comply with Title 12 (Noise), Table III of the National City Municipal Code. Speakers shall face away from residential properties.

Engineering

No comments

POLICE DEPARTMENT

The Police Department has no stipulations. The on-duty patrol squad will provide extra patrol, calls for service permitting.

CITY ATTORNEY

Approved on conditions that Risk Manager approves.

COMMUNITY SERVICES

No involvement

NEIGHBORHOOD SERVICES

Neighborhood Notifications – Events are required to notify residents and/or businesses of the surrounding impacted areas by the event. The notice shall include the name of the event, name and phone number of the company/organization producing the event, the dates and times of the event (including set-up and breakdown) and a detailed description of how the residents and/or businesses may be affected, such as by street closures, “No Parking” signs being posted, music at the event, etc.

RISK MANAGER (619) 336-4370

Risk Management has reviewed the above captioned application for the issuance of a Temporary Use Permit. In as much as the event will held solely on private property there will be no additional insurance requirements necessary for the issuance of the permit.

PUBLIC WORKS (619)366-4580

No involvement

FINANCE

Anyone serving food to the Public should have a “Food Handlers Card”. All “Vendors”, if any, should have a business license.

FIRE (619) 336-4550

**Inspection Required
After Hours Inspection Fee \$200.00,
Carnivals / Fairs Fee \$500.00,
Total \$700.00**

Stipulations required by the Fire Department for this event are as follows:

- 1) Access to the area in and around the buildings shall be maintained at all times. Do not block entrances and emergency roadways. This may require you to move rides, slides, jumpers etc. to the other side of the parking lot.
- 2) Fire Department access into and through booth areas are to be maintained at all times. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 14 feet.
- 3) Fire Hydrants shall not be blocked or obstructed.
- 4) Participants on foot are to move immediately to the sidewalk upon approach of emergency vehicle(s).
- 5) Vehicles in roadway are to move immediately to the right upon approach of emergency vehicle(s).
- 6) Provide a 2A:10BC fire extinguisher at stage area. Extinguisher to be mounted in a visible location between 3½'to 5' from the floor to the top of the extinguisher. Maximum travel distance from an extinguisher shall not be more than 75 feet travel distance.
- 7) Internal combustion power sources that may be used for inflatables, shall be of adequate capacity to permit uninterrupted operation during normal operating hours. Refueling shall be conducted only when the ride is not in use
- 8) Internal combustion power sources shall be isolated from contact with the public by either physical guards, fencing or an enclosure. Internal combustion power shall be at least **20** feet away stage area
- 9) Any electrical power used is to be properly grounded and approved. Extension cords shall be used as "Temporary Wiring" only
- 10) A fire safety inspection is to be conducted by the Fire Department prior to operations of the event to include all rides, cooking areas, game booths, etc.

- 11) If tents or canopies are used, the following information shall apply:
- Tents having an area from 0-200 square feet shall be \$200.00
 - Tents having an area more than 201 square feet shall be \$400.00
 - Canopies having an area from 0-400 square feet shall be no charge.
 - Canopies from 401-500 square feet shall be \$250.00.
 - Canopies from 501-600 square feet shall be \$300.00.
 - Canopies from \$601.00 or greater shall be \$400.00.
 - Multiple tents and or canopies placed together equaling or greater than the above stated information shall be charged accordingly.
 - Tents shall be flame-retardant treated with an approved State Fire Marshal seal attached. A permit from the Fire Department must be obtained. Fees can only be waived by the City Council.
- A ten feet separation distance must be maintained between tents and canopies.** A permit from the Fire Department must be obtained. ***Cooking shall not be permitted under tents or canopies unless the tents or canopies meet State Fire Marshal approval for cooking. See Fire Marshal for required explanation***
- 12) Concession stands utilized for cooking shall have a minimum of 10 feet of clearance on two sides and shall not be located within 10 feet of tents or canopies.
- 13) All cooking booths or areas to have one 2A:10BC fire extinguisher. **If grease or oil is used in cooking a 40:BC or class "K" fire extinguisher will be required.** See Fire Marshal for required explanation. All fire extinguishers to have a current State Fire Marshal Tag attached.
- 14) First Aid will be provided by Cornerstone Church of San Diego personnel.
- 15) Provide Inflatable Jumpers/Slide vendors California State Fire Marshal Certificate for Flame Resistance.
- 16) Carnivals and Fairs require a \$500 Permit.
- 17) Required inspections taking place, after hours, holidays, and weekends will be assessed a minimum of one hundred (\$200.00) dollars.

The following page(s) contain the backup material for Agenda Item: Temporary Use Permit - Halloween retail tent store hosted by Halloween Express at Westfield Plaza Bonita Mall from August 15, 2018 thru November 10, 2018 with no waiver of fees. (Neighborhood Services)

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: March 20, 2018

AGENDA ITEM NO. |

ITEM TITLE:

Temporary Use Permit – Halloween retail tent store hosted by Halloween Express at Westfield Plaza Bonita Mall from August 15, 2018 thru November 10, 2018 with no waiver of fees.

PREPARED BY: Dionisia Trejo |

PHONE: (619) 336-4255

DEPARTMENT: Neighborhood Services Department

APPROVED BY: 

EXPLANATION:

This is a request from Halloween Express to open a temporary outdoor Halloween retail tent store at Plaza Bonita Mall from August 15, 2018 thru November 10, 2018. Daily hours of operations will be from 10 a.m. to 9 p.m.

This 50 x 150sqft tent will be set-up on the westside parking lot of the mall adjacent to Ring Road within lot number location known as Lot #2. This outdoor tent will provide the community with a wide product selection of seasonal items such as Halloween costumes, decorations, and accessories. At the end of the season, starting November 1st, Halloween Express will have a three day 50 percent liquidation sale. If approved, this temporary structure may require additional permits and inspections from both the Building and Fire Department prior to opening for business. Westfield Plaza Bonita security and the applicant's staff will serve as security during the business and closed hours of operation.

Note: This applicant has been approved for this request with no waivers in 2016 & 2017.

FINANCIAL STATEMENT:

ACCOUNT NO. |

City fee of \$237.00 for processing the TUP through various City departments, plus \$400 for Fire Department and \$118 for Building.

Total fees: \$755.00 |

APPROVED: _____ **Finance**

APPROVED: _____ **MIS**

ENVIRONMENTAL REVIEW:

N/A |

ORDINANCE: ☐ **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

STAFF RECOMMENDATION:

Approve the Application for a Temporary Use Permit subject to compliance with all conditions of approval with no waiver of fees or in accordance to City Council Policy 802. |

BOARD / COMMISSION RECOMMENDATION:

N/A |

ATTACHMENTS:

Application for a Temporary Use Permit with recommended conditions of approval. |



City of National City ■ Neighborhood Services Department
1243 National City Boulevard ■ National City, CA 91950
(619) 336-4364 ■ fax (619) 336-4217
www.nationalcityca.gov

Special Event Application

Type of Event

- ☐ Fair/Festival ☐ Parade/March ☐ Walk or Run ☐ Concert/Performance
☐ TUP ☐ Sporting Event ☒ Other (specify) Retail Sales

Event Name & Location

Event Title Halloween Retail Tent

Event Location (list all sites being requested) Parking Lot 2 at Westfield Plaza Bonita Mall

Event Times

Set-Up Starts
Date 8/15/2018 Time 8:00 AM Day of Week Thursday

Event Starts
Date August 30th Time 10:00 AM Day of Week Thursday

Event Ends
Date November 4th Time 9:00 PM Day of Week Sunday

Breakdown Ends
Date November 10th Time 8:00 PM Day of Week Saturday



Applicant Information

Applicant (Your name) Halloween Tyme LLC Sponsoring Organization Halloween Express

Event Coordinator (if different from applicant) Mathew Fahr

Mailing Address 784 Avenida Codorniz, San Marcos, CA 92069

Day Phone 414-803-8989 After Hours Phone 414-803-8989 Cell 414-803-8989 Fax 866-568-6655

Public Information Phone _____ E-mail mmfahr@gmail.com

Applicant agrees to investigate, defend, indemnify and hold harmless the City, its officers, employees and agents from and against any and all loss, damage, liability, claims, demands, detriments, costs, charges, expense (including attorney's fees) and causes of action of any character which the City, its officers, employees and agents may incur, sustain or be subjected to on account of loss or damage to property or the loss of use thereof and for bodily injury to or death of any persons (including but not limited to the employees, subcontractors, agents and invitees of each party hereto) arising out of or in any way connected to the occupancy, enjoyment and use of any City premises under this agreement to the extent permitted by law.

Applicant understands this TUP/special event may implicate fees for City services, which will have to be paid in the City's Finance Department 48 hours prior to the event set-up. The undersigned also understands and accepts the City's refund policy for application processing and facility use and that fees and charges are adjusted annually and are subject to change.

Signature of Applicant: [Signature] Date _____

Special Event Application (continued)

Please complete the following sections with as much detail as possible since fees and requirements are based on the information you provide us.

Fees/Proceeds/Reporting

Is your organization a "Tax Exempt, nonprofit" organization? Yes ☐ No ☒

Are admission, entry, vendor or participant fees required? Yes ☐ No ☒

If YES, please explain the purpose and provide amount (s):

\$ _____ Estimated Gross Receipts including ticket, product and sponsorship sales from this event.

\$ _____ Estimated Expenses for this event.

\$ _____ What is the projected amount of revenue that the Nonprofit Organization will receive as a result of this event?

Description of Event

☐ First time event ☒ Returning Event ☐ include site map with application

Note that this description may be published in our City Public Special Events Calendar:

Retail Sale of HALLOWEEN Costumes, Decoration, and Make up

Estimated Attendance

Anticipated # of Participants: _____ Anticipated # of Spectators: _____

Traffic Control, Security, First Aid and Accessibility

Requesting to close street(s) to vehicular traffic? Yes ☐ No ☒

List any streets requiring closure as a result of the event (provide map): _____

Date and time of street closure: _____ Date and time of street reopening: _____

☐ Other (explain) _____

Requesting to post "no parking" notices? Yes ☐ No ☒

☐ Requested "No Parking" on city streets and/or parking lots (list streets/parking lots) (provide map): _____

☐ Other (explain) _____

Security and Crowd Control

Depending on the number of participants, your event may require Police services.

Please describe your procedures for both Crowd Control and Internal Security: Mali Security and
Halloween Express Employees

Have you hired Professional Security to handle security arrangements for this event?

Yes ☐ No ☒ If YES, name and address of Security Organization _____

Security Director (Name): _____ Phone: _____

If using the services of a professional security firm AND the event will occur on City property, please provide a copy of its insurance certificate, evidencing liability with limits of at least \$1 Million dollars per occurrence/\$2 Million dollars aggregate, as well as and additional insured endorsement naming the City of National City, its officers, employees, and agents as additional insureds. Evidence of insurance must be provided by the vendor or its insurer to the City's Risk Manager for review and approval prior to the event.

Is this a night event? Yes ☒ No ☐ If YES, please state how the event and surrounding area will be illuminated to ensure safety of the participants and spectators: Halloween Express Hours are

9:00 AM to 10:00 PM. We will use SDGE Electricity to have Standard Internal Lighting and will use

Parking Lot lights as well as some Flood lights and Light tower to illuminate the outside.

First Aid

Depending on the number of participants, your event may require specific First Aid services.

First aid station to be staffed by event staff? Yes ☒ No ☐ First aid/CPR certified? Yes ☐ No ☐

☐ First aid station to be staffed by professional company. ► Company _____

Accessibility

Please describe your Accessibility Plan for access at your event by individuals with disabilities:

Attached, please find a map of where the tent will be set up and Halloween Express Two Marked

Parking Spots for Disabled Parking

Elements of your Event

Setting up a stage? Yes ☐ No ☒

☐ Requesting City's PA system

☐ Requesting City Stage; if yes, which size? ☐ Dimensions (13x28) ☐ Dimensions (20x28)

☐ Applicant providing own stage ► _____ (Dimensions)

Setting up canopies or tents?

_____ # of canopies size _____
one # of tents size 7500 sq f

☐ No canopies/tents being set up

Setting up tables and chairs?

☐ Furnished by Applicant or Contractor

_____ # of tables ☐ No tables being set up

_____ # of chairs ☐ No chairs being set up

☐ (For City Use Only) Sponsored Events – Does not apply to co-sponsored events

_____ # of tables ☐ No tables being set up

_____ # of chairs ☐ No chairs being set up

Contractor Name _____

Contractor Contact Information _____
Address City/State Phone Number

- ☐ Food/beverages to be handled by organization; no outside vendors
- ☐ Vendors selling services # _____ ▶ Business License #(s) _____
- ▶ Explain services _____
- ☐ Vendors passing out information only (no business license needed) # _____
- ▶ Explain type(s) of information _____
- ☐ No selling or informational vendors at event

Having children activities? Yes ☐ No ☒

PLEASE NOTE: In the event inflatable jumps are provided at the event, The City of National City requires commercial liability insurance with limits of at least \$1 Million dollars per occurrence/\$2 Million dollars aggregate. In addition, the City of National City must be named as an Additional Insured pursuant to a separate endorsement, which shall be provided by the vendor or its insurer to the City's Risk Manager, along with the Certificate of Insurance, for approval prior to the event. The application should be filed out at least one week prior to the event. There is a \$25 fee to process the permit application. For questions or to obtain a copy of the "Facility Use Application", please contact the Engineering/Public Works Department at (619) 336-4580.

- ☐ Inflatable bouncer house # _____ ☐ Rock climbing wall Height _____
- ☐ Inflatable bouncer slide # _____ ☐ Arts & crafts (i.e., craft making, face painting, etc.)
- ☐ Other _____

Having fireworks or aerial display? Yes ☐ No ☒

- ☐ Vendor name and license # _____
- Dimensions _____ Duration _____
- Number of shells _____ Max. size _____

PLEASE NOTE: In the event fireworks or another aerial display is planned for your event, The City of National City requires commercial liability insurance with limits of at least \$2 Million dollars per occurrence/ \$4 Million dollars aggregate. In addition, the City of National City must be named as an Additional Insured pursuant to a separate endorsement, which shall be provided by the vendor or its insurer to the City's Risk Manager, along with the Certificate of Insurance, for approval prior to the event. Depending on the size and/or nature of the fireworks display, the City reserves the right to request higher liability limits. The vendor must also obtain a fireworks permit from the National City Fire Department and the cost is \$502.00

Arranging for media coverage? Yes ☐ No ☒

- ☐ Yes, but media will not require special set-up
- ☐ Yes, media will require special set-up. Describe _____

Event Signage

PLEASE NOTE: For City sponsored or co-sponsored events, banners publicizing the event may be placed on the existing poles on the 1800 block and 3100 block of National City Boulevard. The banners must be made to the City's specifications. Please refer to the City's Special Event Guidebook and Fee Schedule for additional information.

Are you planning to have signage at your event? Yes ☒ No ☐

☐ Yes, we will post signage # _____ Dimensions _____

☐ Yes, having inflatable signage # _____ ▶ (complete Inflatable Signage Request form)

☒ Yes, we will have banners # ⁴ _____

☐ What will signs/banners say? Halloween Express

☐ How will signs/banners be anchored or mounted? The banners will be fastened to the tent with bolts

Waste Management

PLEASE NOTE: One toilet for every 250 people is required, unless the applicant can show that there are sufficient facilities in the immediate area available to the public during the event.

Are you planning to provide portable restrooms at the event? Yes ☒ No ☐

If yes, please identify the following:

▶ Total number of portable toilets: Two

▶ Total number of ADA accessible portable toilets: One

☐ Contracting with portable toilet vendor. ▶ Diamond Environmental Services

▶ Load-in Day & Time 8/20/2018 Company Phone
▶ Load-out Day & Time 11/10/2018

☐ Portable toilets to be serviced. ▶ Time Twice a week

Set-up, Breakdown, Clean-up

Setting up the day before the event?

☒ Yes, will set up the day before the event. ▶ # of set-up day(s) 14 days

☐ No, set-up will occur on the event day

Requesting vehicle access onto the turf?

☐ Yes, requesting access onto turf for set-up and breakdown (complete attached Vehicle Access Request form)

☒ No, vehicles will load/unload from nearby street or parking lot.

NPDES-Litter Fence

- ☐ City to install litter fence
- ☐ Applicant to install litter fence
- ☒ N/A

Breaking down set-up the day after the event?

- ☒ Yes, breakdown will be the day after the event. ► # of breakdown day(s) 6 days
- ☐ No, breakdown will occur on the event day.

How are you handling clean-up?

- ☐ Using City crews
- ☒ Using volunteer clean-up crew during and after event.
- ☐ Using professional cleaning company during and after event.

Miscellaneous

Please list anything important about your event not already asked on this application:

**Please make a copy of this application for your records.
We do not provide copies.**



Special Events

Pre-Event Storm Water Compliance Checklist

I. Special Event Information

Name of Special Event: <u>Halloween Tyme LLC dba Halloween Express</u>	
Event Address: <u>3030 Plaza Bonita Road</u>	Expected # of Attendees: _____
Event Host/Coordinator: _____	Phone Number: _____

II. Storm Water Best Management Practices (BMPs) Review

	YES	NO	N/A
Will enough trash cans provided for the event? Provide number of trash bins: <u>1</u>	✓		
Will enough recycling bins provided for the event? Provide number of recycle bins: <u>1</u>	✓		
Will all portable toilets have secondary containment trays? (exceptions for ADA compliant portable toilets)	✓		
Do all storm drains have screens to temporarily protect trash and debris from entering?			
Are spill cleanup kits readily available at designated spots?			

* A Post-Event Storm Water Compliance Checklist will be completed by City Staff.

City of National City

PUBLIC PROPERTY USE HOLD HARMLESS AND INDEMNIFICATION AGREEMENT

Persons requesting use of City property, facilities or personnel are required to provide a minimum of \$1,000,000 combined single limit insurance for bodily injury and property damage which includes the City, its officials, agents and employees named as additional insured and to sign the Hold Harmless Agreement. Certificate of insurance must be attached to this permit. The insurance company issuing the insurance policy must have a A.M. Best's Guide Rating of A:VII and that the insurance company is a California admitted company; if not, then the insurance policy to the issuance of the permit for the event. The Certificate Holder must reflect:

City of National City
Risk Management Department
1243 National City Boulevard
National City, CA 91950

Organization: Halloween Tyme LLC dba Halloween Express

Person in Charge of Activity: Mathew Fahr

Address: 784 Avenida Codorniz, San Marcos, CA, 92069

Telephone: 414-803-8989

Date(s) of Use: August 15, 2018 to Nov 10, 2018

HOLD HARMLESS AGREEMENT

As a condition of the issuance of a temporary use permit to conduct its activities on public or private property, the undersigned hereby agree(s) to defend, indemnify and hold harmless the City of National City and the Parking Authority and its officers, employees and agents from and against any and all claims, demands, costs, losses, liability or, for any personal injury, death or property damage, or both, or any litigation and other liability, including attorneys fees and the costs of litigation, arising out of or related to the use of public property or the activity taken under the permit by the permittee or its agents, employees or contractors.

Signature of Applicant: 

Official Title: Member

Date: 9/8/2018

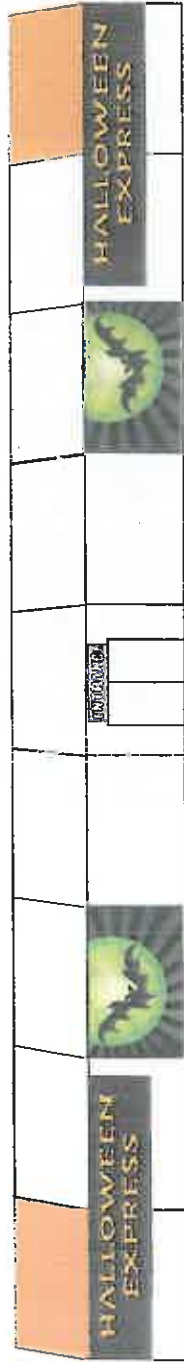
For Office Use Only

Certificate of Insurance Approved _____

Date _____

HALLOWEEN EXPRES 373
PLAZA BONITA TENT - OUTSIDE LAYOUT

MACY'S / ENTRANCE side



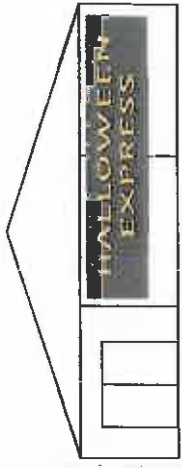
OUTBACK side



ROAD side



ROAD side





Google earth

feet 400
meters 100



**HALLOWEEN EXPRESS
TENT LOCATION
50FT X 150FT
8/15/18 - 11/10/18**

↑ MACYS



note: all EXIT signs need to be GREEN

DRAWN BY:
MMC

DATE:
03-07-2017

HALLOWEEN.EXPRESS

**15M X 45M CLEARSPAN STRUCTURE
(ENTRANCE ON LONG SIDE)**

PLAZA BONITA MALL TENT



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

01/26/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER ISU Davidson Insurance Group P.O. Box 2702 Olathe KS 66063		CONTACT NAME: Gene T Brake PHONE (A/C No. Ext): (913) 909-5432 FAX (A/C No): (913) 909-5432 E-MAIL ADDRESS: g.brake@davidsoninsurance.net	
INSURED Halloween Tyme, LLC dba Halloween Express 784 Avenida Cordoniz San Marcos, CA 92069		INSURER(S) AFFORDING COVERAGE INSURER A: COVINGTON SPECIALTY INSURANCE COMPANY INSURER B: HARTFORD ACCIDENT AND INDEMNITY CO. INSURER C: INSURER D: INSURER E: INSURER F:	
		NAIC # 13027 22357	

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			VBA583650	01/01/2018	01/01/2019	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input checked="" type="checkbox"/> Y <input type="checkbox"/> N/A			57WECZT9765	01/01/2018	01/01/2019

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The City of National City, its officials, agents and employees are Additional Insureds as respects to the General Liability as per written contract. Waiver of Subrogation in favor of the City of National City where allowed by state law.

CERTIFICATE HOLDER**CANCELLATION**

City of National City Risk Management Department 1243 National City Blvd. National City CA 91950	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE

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ACORD 25 (2014/01)

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Release and Hold Harmless Agreement

THE UNDERSIGNED HEREBY AGREES THAT:

In consideration for Temporary Use Permit to erect a retail Halloween Tent in the shopping center commonly known as Westfield Plaza Bonita at 3030 Plaza Bonita Road in National City California, the undersigned, on behalf of itself and its next of kin and anyone claiming through the undersigned, hereby releases, and forever indemnifies and hold harmless the City of National City and its officials, employees, agents and volunteers from any and all damages, losses, claims, demands, liabilities, obligations, actions and causes whatsoever, whether known or unknown, whether liability be direct or indirect, liquidated or unliquidated, whether absolute or contingent, foreseen or unforeseen, suspected or unsuspected, anticipated or unanticipated, disclosed or undisclosed, and whether or not heretofore asserted, upon or by reason or as a result of the use of or access to the Premises from and after the date hereof regardless of how such injury may arise, regardless of who is at fault or whose negligence caused such injury.

COMPANY: Halloween Tyme LLC, dba Halloween Express

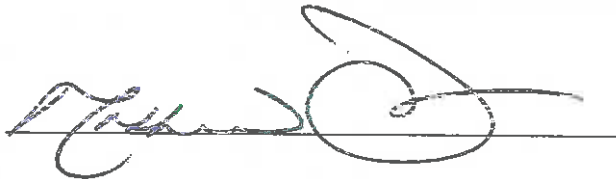
NAME: Mathew Fahr

TITLE: Member

ADDRESS: 784 Avenida Codorniz, San Marcos, California, 92069

TELEPHONE NUMBER: 414-803-8989

SIGNATURE:

A handwritten signature in dark ink, appearing to read 'Mathew Fahr', is written over a horizontal line.

DATE: 2-8-2018



Westfield Plaza Bonita
3030 Plaza Bonita Road
Suite 2075
San Diego, CA 91960
T (619) 267-2850
F (619) 472-5652

January 25, 2018

City of National City
Attention: Vianey Rivera
Neighborhood Services Division
1243 National City Boulevard
National City, California 91950-4301

Re: Temporary Use Permit
Halloween Express (Halloween Tyme) -- Westfield Plaza Bonita

Dear Ms. Rivera


I hereby authorize Mathew Fahr, acting as representative of Halloween Tyme, LLC., to operate a business known as Halloween Express in parking lot #2 at Westfield Plaza Bonita during the dates of August 15, 2018 through November 10, 2018.

Mathew Fahr has permission to install temporary power to poles in parking lot #2 to provide power during the temporary use time if adequate power is not already in place.

Mathew Fahr will obtain all necessary permits from National City for occupancy at Westfield Plaza Bonita.

Please feel free to call me if you have any questions at 619.267.2850.

Sincerely,


Jessica O'Brien
General Manager
Westfield Plaza Bonita

cc: retailers file



HALLOWEEN EXPRESS

Halloween Tyme LLC.
dba Halloween Express
784 Avenida Codorniz
San Marcos, CA 92069
T. 414-803-8989
F. 866-568-6655
Email. mmfahr@gmail.com

Date: February 10, 2018
To: City of National City
From: Halloween Tyme LLC
Subject: Halloween Express Plan of Operation

Halloween Express is excited to have the opportunity to enter into a tentative lease agreement with Westfield to set up a 50ft.by 150ft. tent at their Plaza Bonita Mall, in the City of National City. This agreement is contingent on permitting. We are requesting that the City of National City, grant us a temporary use permit to allow the tent to be set-up from August 15th to November 10th, 2018.

Halloween Express's initial set up is a two week process. It includes permitting and inspection, hiring and training, coordination with tent delivery & set up team, fixture building, product inventory set up and new inventory delivery. These steps are all subject to a domino effect that requires each part of the process to start and complete before the next steps can be taken. At the end of the season, starting November 1st, Halloween Express has a three day 50 percent liquidation sale as well as three days of product inventory, fixture tear down and clean up. The final step is a two day tent tear down, therefore it is a eight day closing process.

In order to ensure the tent is successful and presents a wonderful seasonal attraction to the community, Halloween Express is committed to have great product selection and great customer service. We employ about 20 to 25 part time and full time employees that will be working to complete and run the tent throughout the season. We will be open daily in September from 10:00 a.m. to 9:00 p.m. and in October from 9:00 a.m. to 10:00 p.m..

Halloween Express will have significant product cost, fix cost and set up expenses. In order to retrieve our costs and be competitive in the area, we will need to be open throughout September and October. We would appreciate for the city to consider our application for Temporary use permit to set up a tent from August 15th to Nov 10th 2018.

Sincerely Yours,



Mathew Fahr
Halloween Tyme LLC

**CITY OF NATIONAL CITY
NEIGHBORHOOD SERVICES DEPARTMENT
APPLICATION FOR A TEMPORARY USE PERMIT
RECOMMENDATIONS AND CONDITIONS**

SPONSORING ORGANIZATION: Halloween Express

EVENT: Halloween Retail Tent

DATE OF EVENT: August 30, 2018 to November 4, 2018

APPROVALS:

DEVELOPMENT SERVICES	YES [x]	NO []	SEE CONDITIONS [x]
RISK MANAGER	YES [x]	NO []	SEE CONDITIONS [x]
PUBLIC WORKS	YES [x]	NO []	SEE CONDITIONS []
FINANCE	YES [x]	NO []	SEE CONDITIONS [x]
FIRE	YES [x]	NO []	SEE CONDITIONS [x]
POLICE	YES [x]	NO []	SEE CONDITIONS [x]
CITY ATTORNEY	YES [x]	NO []	SEE CONDITIONS [x]
COMMUNITY SERVICES	YES [x]	NO []	SEE CONDITIONS []
NEIGHBORHOOD SERVICES	YES [x]	NO []	SEE CONDITIONS [x]

CONDITIONS OF APPROVAL:

POLICE DEPARTMENT

The Police Department has no stipulations. The on-duty patrol squad will provide extra patrol, calls for service permitting.

CITY ATTORNEY

Approved on conditions that Risk Manager approves.

COMMUNITY SERVICES

No involvement

NEIGHBORHOOD SERVICES

Neighborhood Notifications – Events are required to notify residents and/or businesses of the surrounding impacted areas by the event. The notice shall include the name of the event, name and phone number of the company/organization producing the event, the dates and times of the event (including set-up and breakdown) and a detailed description of how the residents and/or businesses may be affected, such as by street closures, “No Parking” signs being posted, music at the event, etc.

DEVELOPMENT SERVICES (619) 336-4318

Building

We will need the applicant to submit a plan (30" X 24") that will show more details regarding their operations. Listed below is what will be required.

- Provide an occupant load based on the 2016 California Building Code.
- Provide details and elevations for the cash wrap as per the 2016 California Building Code. It must meet accessibility code requirements.
- Provide accessible parking and path of travel from parking area to the front entrance. Include details for signage, path of travel marking on the ground etc.
- Provide details as to how you will acquire lighting to the tent. Include how wiring will be supported and routed within the tent as per the 2016 California Electrical Code.
- Provide details for the dressing rooms. Include dimensions, heights and locations of rooms, doors, mirrors, benches and include accessible dressing rooms. Provide all dimension as required per the 2016 California Building Code.
- Provide dimensions of the tent on your drawing. Include a site plan showing where the tent is located within the mall.
- Include calculation for the number of restrooms and hand wash stations that will be required as per the 2016 California Plumbing Code. Include the number of accessible restrooms and hand wash stations that will be required as per the 2016 California Building Code.
- Provide the size of the entrance and exits to this event. Provide details as to how your exit signs will be illuminated.
- Provide the size and height of the storage racks if they are to be used at this location. Include anchoring of the racks if they are to be installed.
- A fee of \$118.00 per hour will be charged for the plan review

Planning

No comments

Engineering

No comments

RISK MANAGER (619) 336-4370

Risk Management has reviewed the above captioned request for the issuance of a Temporary Use Permit. In as much as the event will held solely on private property there will be no additional insurance requirements necessary for the issuance of the permit.

PUBLIC WORKS (619)366-4580

No involvement

FINANCE

Halloween Express will need to renew their business license.

FIRE (619) 336-4550

\$400.00 TENT FEE

Stipulations required by the Fire Department for this event are as follows:

- 1) Access to the area to be maintained at all times, entrances and emergency roadways
- 2) Fire Department access into and through event areas are to be maintained at all times. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches
- 3) Fire Hydrants shall not be blocked or obstructed
- 4) Participants on foot are to move immediately to the sidewalk upon approach of emergency vehicle(s)
- 5) Vehicles in roadway are to move immediately to the right upon approach of emergency vehicle(s)

- 6) If tents or canopies are used, the following information shall apply:
- Tents having an area from 0-200 square feet shall be \$200.00
 - Tents having an area more than 201 square feet shall be \$400.00
 - Canopies having an area from 0-400 square feet shall be no charge.
 - Canopies from 401-500 square feet shall be \$250.00.
 - Canopies from 501-600 square feet shall be \$300.00.
 - Canopies from \$601.00 or greater shall be \$400.00.
 - Multiple tents and or canopies placed together equalling or greater than the above stated information shall be charged accordingly.
 - Tents shall be flame-retardant treated with an approved State Fire Marshal seal attached. A permit from the Fire Department must be obtained. Fees can only be waived by the City Council.

A ten feet separation distance must be maintained between tents and canopies. A permit from the Fire Department must be obtained

- 7) A tent shall not be located within 20 feet of lot lines, buildings, other tents, canopies or membrane structures, parked vehicles or internal combustion engines. For the purpose of determining required distances, support ropes and guy wires shall be considered as part of the temporary membrane structure, tent or canopy.
- 8) Provide a minimum of 2A:10BC fire extinguishers inside tent area. Extinguisher to be mounted in a visible location between 3½' to 5' from the floor to the top of the extinguisher (*See Attached*). Maximum travel distance from an extinguisher shall not be more than 75 feet travel distance. A sign describing location of extinguisher (*Fire Extinguisher*) shall be placed immediately above the fire extinguisher
- 9) Exit openings from tents shall remain open and identified unless covered by a flame-resistant curtain. The curtain shall comply with the following:
- Curtains shall be free sliding on a metal support. The support shall be a minimum of 80 inches above the floor level at the exit. Then curtains shall be so arranged that, when open, no part of the curtain obstructs the exit
 - Curtains shall be of a color, or colors, that contrast with the color of the tent
- 10) In public tent areas, smooth surfaced, unobstructed aisles having a minimum width of not less than 44 inches shall be provided from seating areas, and aisles shall be progressively increased in width to provide, at all points, not less than 1 foot of isles width for each 50 persons served by such aisles at the point
- 11) The arrangement of aisles shall be subject to approval by the fire code official and shall be maintained clear at all times during occupancy

- 12) All chairs used for seating inside tent shall be secured to one another using approved chair binding methods
- 13) Exits shall be clearly marked. Exit signs shall be installed at required exit doorways and where otherwise necessary to indicate clearly the direction of egress when the exit serves and occupant of 50 or more
- 14) Exit signs shall be **GREEN** in color and shall be of an approved self-lumination type or shall be internally or externally illuminated by luminaries supplied in the following manner:
 - Two separate circuits, one of which shall be separated from all other circuits, for occupant loads of 300 or less
- 15) Means of egress shall be illuminated with light (Bug Eyes) having an intensity of not less than 1 foot-candle at the floor level while the structure is occupied. Fixtures required for means of egress illumination shall be supplied from a separate circuit or source of power
- 16) Exits, aisles and passageways shall not be blocked, locked or otherwise obstructed, and shall have their minimum clear width available at all times
- 17) Any electrical power used is to be properly grounded and approved. Extension cords shall be used as "Temporary Wiring" only. Consult building official for requirements and inspection of electrical
- 18) Vehicles shall be isolated from contact with the tents or canopies, Vehicles shall be at least **20** feet away from tents or canopies
- 19) Every room or space, shall have the occupant load of the tent or space posted in a conspicuous place, near the main exit or exit access doorway from the room or space. Posted signs shall be of an approved legible permanent design and shall be maintained by the owner or authorized agent. The maximum occupant load of this space shall be based on room set-up and items placed inside tents or canopies. **The maximum occupancy load shall posted by the Building or Fire Official based on room configuration.** At no time shall the owner or agent allow the posted occupant load to be exceeded. Occupant load sign shall be clearly visible at all times
- 20) Smoking shall not be permitted in tents, canopies or membrane structures. Approved "No Smoking" signs shall be conspicuously posted
- 21) Spot or effect lighting shall only be by electricity, and all combustibles construction located within 6 feet of such equipment shall be protected with approved noncombustible insulation not less than 9.25 inches thick

- 22) There shall be a minimum clearance of at least 3 feet between the fabric envelope and all contents located inside the tent structure
- 23) The floor surface inside tents and canopy structures and grounds outside and within a 30-foot perimeter shall be kept clear of combustible waste. Such waste shall be stored in approved containers until removed from the premises. Combustible waste shall be removed from the structure as necessary and daily to meet code
- 24) A fire safety inspection is to be conducted by the Fire Department prior to operations of the event
- 25) Please contact the National City Fire Department to arrange a time for inspection. Periodic inspections will be conducted by the Fire Department for this event.
- 26) Required inspections taking place, after hours, holidays, and weekends will be assessed a minimum of two hundred (\$200.00) dollars.
- 27) Fire Department fees can only be waived by City Council

The following page(s) contain the backup material for Agenda Item: Investment transactions for the month ended January 31, 2018. (Finance)

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: March 20, 2018

AGENDA ITEM NO.:

ITEM TITLE:

Investment transactions for the month ended January 31, 2018.

PREPARED BY: Ronald Gutlay/*RG*

PHONE: 619-336-4346

DEPARTMENT: Finance

APPROVED BY: *Mark Ralento*

EXPLANATION:

In accordance with California Government Code Section 53646 and City of National City's investment policy section XIIA, a monthly report shall be submitted to the legislative body accounting for transactions made during the reporting period.

The attached listing reflects investment transactions of the City of National City's investment portfolio for the month ending January 31, 2018.

FINANCIAL STATEMENT:

ACCOUNT NO.
NA

APPROVED: *Mark Ralento* **FINANCE**

APPROVED: _____ **MIS**

ENVIRONMENTAL REVIEW:

This is not a project and, therefore, not subject to environmental review.

ORDINANCE: INTRODUCTION ☐ FINAL ADOPTION ☐

STAFF RECOMMENDATION:

Accept and file the Investment Transaction Ledger for the month ended January 31, 2018.

BOARD / COMMISSION RECOMMENDATION:

NA

ATTACHMENTS:

Investment Transaction Ledger



Transaction Ledger

12/31/17 Thru 1/31/18

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
ACQUISITIONS										
Purchase	01/01/2018	60934N807	2,300.00	Federated Investors Govt Oblig Fund Inst.	1.000	0.92 %	2,300.00	0.00	2,300.00	0.00
Purchase	01/03/2018	60934N807	96.90	Federated Investors Govt Oblig Fund Inst.	1.000	0.92 %	96.90	0.00	96.90	0.00
Purchase	01/12/2018	60934N807	1,837.50	Federated Investors Govt Oblig Fund Inst.	1.000	0.92 %	1,837.50	0.00	1,837.50	0.00
Purchase	01/12/2018	60934N807	490,000.00	Federated Investors Govt Oblig Fund Inst.	1.000	0.92 %	490,000.00	0.00	490,000.00	0.00
Purchase	01/13/2018	60934N807	6,828.13	Federated Investors Govt Oblig Fund Inst.	1.000	0.92 %	6,828.13	0.00	6,828.13	0.00
Purchase	01/15/2018	60934N807	3,600.00	Federated Investors Govt Oblig Fund Inst.	1.000	0.92 %	3,600.00	0.00	3,600.00	0.00
Purchase	01/15/2018	90LAIF\$00	72,576.53	Local Agency Investment Fund State Pool	1.000	1.28 %	72,576.53	0.00	72,576.53	0.00
Purchase	01/16/2018	60934N807	2,025.00	Federated Investors Govt Oblig Fund Inst.	1.000	0.92 %	2,025.00	0.00	2,025.00	0.00
Purchase	01/16/2018	60934N807	870,000.00	Federated Investors Govt Oblig Fund Inst.	1.000	0.92 %	870,000.00	0.00	870,000.00	0.00
Purchase	01/16/2018	60934N807	225.25	Federated Investors Govt Oblig Fund Inst.	1.000	0.92 %	225.25	0.00	225.25	0.00
Purchase	01/16/2018	60934N807	663.00	Federated Investors Govt Oblig Fund Inst.	1.000	0.92 %	663.00	0.00	663.00	0.00
Purchase	01/16/2018	60934N807	658.33	Federated Investors Govt Oblig Fund Inst.	1.000	0.92 %	658.33	0.00	658.33	0.00
Purchase	01/18/2018	60934N807	196.25	Federated Investors Govt Oblig Fund Inst.	1.000	0.92 %	196.25	0.00	196.25	0.00
Purchase	01/19/2018	3137EAEK1	600,000.00	FHLMC Note 1.875% Due 11/17/2020	99.130	2.19 %	594,780.00	2,000.00	596,780.00	0.00
Purchase	01/20/2018	60934N807	2,531.25	Federated Investors Govt Oblig Fund Inst.	1.000	0.92 %	2,531.25	0.00	2,531.25	0.00
Purchase	01/23/2018	60934N807	4,500.00	Federated Investors Govt Oblig Fund Inst.	1.000	0.92 %	4,500.00	0.00	4,500.00	0.00
Purchase	01/26/2018	45950KCM0	500,000.00	International Finance Corp Note 2.25% Due 1/25/2021	99.716	2.35 %	498,580.00	31.25	498,611.25	0.00
Purchase	01/29/2018	60934N807	4,700.00	Federated Investors Govt Oblig Fund Inst.	1.000	0.92 %	4,700.00	0.00	4,700.00	0.00
Purchase	01/31/2018	60934N807	7,618.75	Federated Investors Govt Oblig Fund Inst.	1.000	0.95 %	7,618.75	0.00	7,618.75	0.00
Purchase	01/31/2018	89238BAB8	265,000.00	Toyota Auto Receivables Owner 2018-A A2A 2.1% Due 10/15/2020	99.990	2.12 %	264,972.92	0.00	264,972.92	0.00
Subtotal			2,835,356.89				2,828,689.81	2,031.25	2,830,721.06	0.00
Security Contribution	01/23/2018	90LAIF\$00	6,500,000.00	Local Agency Investment Fund State Pool	1.000		6,500,000.00	0.00	6,500,000.00	0.00
Security Contribution	01/30/2018	90LAIF\$00	1,500,000.00	Local Agency Investment Fund State Pool	1.000		1,500,000.00	0.00	1,500,000.00	0.00



Transaction Ledger

12/31/17 Thru 1/31/18

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
ACQUISITIONS										
Security Contribution	01/31/2018	90SDCP\$00	45,000.00	County of San Diego Pooled Investment Pool	1.000		45,000.00	0.00	45,000.00	0.00
Subtotal			8,045,000.00				8,045,000.00	0.00	8,045,000.00	0.00
TOTAL ACQUISITIONS			10,880,356.89				10,873,689.81	2,031.25	10,875,721.06	0.00
DISPOSITIONS										
Sale	01/19/2018	60934N807	596,780.00	Federated Investors Govt Oblig Fund Inst.	1.000	0.92 %	596,780.00	0.00	596,780.00	0.00
Sale	01/26/2018	60934N807	498,611.25	Federated Investors Govt Oblig Fund Inst.	1.000	0.92 %	498,611.25	0.00	498,611.25	0.00
Sale	01/31/2018	60934N807	264,972.92	Federated Investors Govt Oblig Fund Inst.	1.000	0.95 %	264,972.92	0.00	264,972.92	0.00
Subtotal			1,360,364.17				1,360,364.17	0.00	1,360,364.17	0.00
Paydown	01/16/2018	47788BAB0	0.00	John Deere Owner Trust 2017-B A2A 1.59% Due 4/15/2020	100.000		0.00	225.25	225.25	0.00
Paydown	01/16/2018	65478GAB6	0.00	Nissan Auto Receivables Owner 2017-B A2A 1.56% Due 5/15/2020	100.000		0.00	663.00	663.00	0.00
Paydown	01/16/2018	89237RAB4	0.00	Toyota Auto Receivable 2017-C A2A 1.58% Due 7/15/2020	100.000		0.00	658.33	658.33	0.00
Paydown	01/18/2018	43814PAB6	0.00	Honda Auto Receivables Owner T 17-3 A2 1.57% Due 1/21/2020	100.000		0.00	196.25	196.25	0.00
Subtotal			0.00				0.00	1,742.83	1,742.83	0.00
Maturity	01/12/2018	3137EADN6	490,000.00	FHLMC Note 0.75% Due 1/12/2018	100.000		490,000.00	0.00	490,000.00	9,045.41
Maturity	01/16/2018	36164KAG6	600,000.00	GE Capital Treasury LLC Discount CP 1.3% Due 1/16/2018	99.350		596,100.00	3,900.00	600,000.00	0.00
Maturity	01/16/2018	94974BFG0	270,000.00	Wells Fargo Corp Note 1.5% Due 1/16/2018	100.000		270,000.00	0.00	270,000.00	634.50
Subtotal			1,360,000.00				1,356,100.00	3,900.00	1,360,000.00	9,679.91



Transaction Ledger

12/31/17 Thru 1/31/18

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
DISPOSITIONS										
Security Withdrawal	01/05/2018	60934N807	2,151.67	Federated Investors Govt Oblig Fund Inst.	1.000		2,151.67	0.00	2,151.67	0.00
Subtotal			2,151.67				2,151.67	0.00	2,151.67	0.00
TOTAL DISPOSITIONS			2,722,515.84				2,718,615.84	5,642.83	2,724,258.67	9,679.91
OTHER TRANSACTIONS										
Interest	01/01/2018	3133EFW52	400,000.00	FFCB Note 1.15% Due 7/1/2019	0.000		2,300.00	0.00	2,300.00	0.00
Interest	01/12/2018	3137EADN6	490,000.00	FHLMC Note 0.75% Due 1/12/2018	0.000		1,837.50	0.00	1,837.50	0.00
Interest	01/13/2018	3137EADB2	575,000.00	FHLMC Note 2.375% Due 1/13/2022	0.000		6,828.13	0.00	6,828.13	0.00
Interest	01/15/2018	912828S43	435,000.00	US Treasury Note 0.75% Due 7/15/2019	0.000		1,631.25	0.00	1,631.25	0.00
Interest	01/15/2018	912828XK1	450,000.00	US Treasury Note 0.875% Due 7/15/2018	0.000		1,968.75	0.00	1,968.75	0.00
Interest	01/16/2018	94974BFG0	270,000.00	Wells Fargo Corp Note 1.5% Due 1/16/2018	0.000		2,025.00	0.00	2,025.00	0.00
Interest	01/20/2018	3135G0E33	450,000.00	FNMA Note 1.125% Due 7/20/2018	0.000		2,531.25	0.00	2,531.25	0.00
Interest	01/23/2018	46625HKA7	400,000.00	JP Morgan Chase Callable Note Cont 12/23/2019 2.25% Due 1/23/2020	0.000		4,500.00	0.00	4,500.00	0.00
Interest	01/29/2018	91159HHL7	400,000.00	US Bancorp Callable Note 1X 12/29/2020 2.35% Due 1/29/2021	0.000		4,700.00	0.00	4,700.00	0.00
Interest	01/31/2018	912828SD3	400,000.00	US Treasury Note 1.25% Due 1/31/2019	0.000		2,500.00	0.00	2,500.00	0.00
Interest	01/31/2018	912828TH3	400,000.00	US Treasury Note 0.875% Due 7/31/2019	0.000		1,750.00	0.00	1,750.00	0.00
Interest	01/31/2018	912828UL2	490,000.00	US Treasury Note 1.375% Due 1/31/2020	0.000		3,368.75	0.00	3,368.75	0.00
Subtotal			5,160,000.00				35,940.63	0.00	35,940.63	0.00
Dividend	01/03/2018	60934N807	21,519.94	Federated Investors Govt Oblig Fund Inst.	0.000		96.90	0.00	96.90	0.00



Transaction Ledger

12/31/17 Thru 1/31/18

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
OTHER TRANSACTIONS										
Dividend	01/15/2018	90LAIF\$00	2,204,384,363.36	Local Agency Investment Fund State Pool	0.000		72,576.53	0.00	72,576.53	0.00
	Subtotal		2,204,405,883.30				72,673.43	0.00	72,673.43	0.00
TOTAL OTHER TRANSACTIONS			2,209,565,883.30				108,614.06	0.00	108,614.06	0.00

The following page(s) contain the backup material for Agenda Item: Warrant Register #32 for the period of 01/31/18 through 02/06/18 in the amount of \$1,302,905.92.
(Finance)

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: March 20, 2018

AGENDA ITEM NO.:

ITEM TITLE:

Warrant Register #32 for the period of 01/31/18 through 02/06/18 in the amount of \$1,302,905.92.
(Finance)

PREPARED BY: Karla Apalategui, Accounting Assistant

DEPARTMENT: Finance

PHONE: 619-336-4572

APPROVED BY: _____

EXPLANATION:

Per Government Section Code 37208, attached are the warrants issued for the period of 01/31/18 through 02/06/18.

Consistent with Department of Finance, listed below are all payments above \$50,000.

<u>Vendor</u>	<u>Check/Wire</u>	<u>Amount</u>	<u>Explanation</u>
Kaiser Foundation HP	332753	191,760.14	Kaiser Ins Active Feb 2018
Kaiser Foundation HP	332754	180,981.70	Kaiser Ins Active Jan 2018
Health Net Inc	332898	87,000.90	Health Net Ins R1192A Feb 2018
Health Net Inc	332900	84,378.62	Health Net Ins R1192A Jan 2018
Public Emp Ret System	2022018	236,622.03	Service Period 01/02/18 – 01/15/18
Public Emp Ret System	2022018	232,439.69	Service Period 11/21/17 – 12/04/17

FINANCIAL STATEMENT:

APPROVED: Mark Ralento **FINANCE**

ACCOUNT NO.

APPROVED: _____ **MIS**

Warrant total \$1,302,905.92.

ENVIRONMENTAL REVIEW:

This is not a project and, therefore, not subject to environmental review.

ORDINANCE: **INTRODUCTION** ☐ **FINAL ADOPTION** ☐

STAFF RECOMMENDATION:

Ratify warrants totaling \$1,302,905.92

BOARD / COMMISSION RECOMMENDATION:

ATTACHMENTS:

Warrant Register #32



WARRANT REGISTER #32
2/6/2018

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
MACHADO, R	TRAINING ADV LODGE SUB/MACHADO/PD	332743	2/5/18	99.00
C A P F	FIRE LTD JANUARY 2018	332744	2/6/18	931.00
C A P F	FIRE LTD FEBRUARY 2018	332745	2/6/18	931.00
CALIFORNIA LAW ENFORCEMENT	PD LTD JANUARY 2018	332746	2/6/18	2,082.50
CALIFORNIA LAW ENFORCEMENT	PD LTD FEBRUARY 2018	332747	2/6/18	2,058.00
HEALTH NET	HEALTH NET OCT 2017 THROUGH FEB 2018	332748	2/6/18	3,213.64
HEALTH NET	HEALTH NET INS N7176F FEB 2018	332749	2/6/18	1,522.34
HEALTH NET	HEALTH NET INS N7176F JANUARY 2018	332750	2/6/18	1,470.86
HEALTH NET	HEALTHNET INS N7177A FEBRUARY 2018	332751	2/6/18	1,181.18
HEALTH NET	HEALTHNET INS N7177A JANUARY 2018	332752	2/6/18	1,141.24
KAISER FOUNDATION HEALTH PLANS	KAISER INSURANCE ACTIVE FEBRUARY 2018	332753	2/6/18	191,760.14
KAISER FOUNDATION HEALTH PLANS	KAISER INSURANCE ACTIVE JANUARY 2018	332754	2/6/18	180,981.70
KAISER FOUNDATION HEALTH PLANS	KAISER HD H S A INS FEBRUARY 2018	332755	2/6/18	4,429.72
KAISER FOUNDATION HEALTH PLANS	KAISER HD H S A INS JANUARY 2018	332756	2/6/18	4,178.86
VISION SERVICE PLAN	VISION SERVICE PLAN (CA) JAN 2017	332757	2/6/18	692.42
AAIR PURIFICATION SYSTEMS	ADAPTER, GRABBER / PW	332758	2/6/18	734.68
DTSC	DEPARTMENT OF TOXIC SUBSTANCES CONTROL	332759	2/6/18	2,499.88
ALDEMCO	FOOD / NUTRITION CENTER	332760	2/6/18	2,992.05
ALL FRESH PRODUCTS	FOOD / NUTRITION CENTER	332761	2/6/18	1,647.48
ALPHA PROJECT FOR THE HOMELESS	ALPHA HOMELESS PROJECT / OCTOBER	332762	2/6/18	7,764.64
BEHAVIOR ANALYSIS	TRAINING TUITION INVESTIGATIVE INTERVIEW / PD	332763	2/6/18	481.00
BOOT WORLD	MOP# 64096. BOOTS FOR STAFF / NSD	332764	2/6/18	116.89
CIRCULATE SAN DIEGO	ACTIVE TRANSPORTATION P. PROJECT	332765	2/6/18	1,038.91
CITY OF SAN DIEGO	TRANSPORTATION/TREATMENT FEES FY 2018	332766	2/6/18	990.02
CLEAN HARBORS ENVIRONMENTAL	HOUSEHOLD HAZARDOUS WASTE PICKUP	332767	2/6/18	366.00
COLANTUONO HIGHSMITH	LIABILITY CLAIM COST	332768	2/6/18	127.63
COLANTUONO HIGHSMITH	LIABILITY CLAIM COST	332769	2/6/18	5.06
COX COMMUNICATIONS	COX DATA SERVICES FOR JANUARY 2018	332770	2/6/18	174.00
CSA SAN DIEGO COUNTY	EXPENDITURE REIMBURSEMENT 11/2017/HOUSING	332771	2/6/18	21,851.86
CV VENTURES LLC	CONTRACT SERVICES DUCK POND	332772	2/6/18	10,636.86
DANIELS TIRE SERVICE	TIRES FOR CITY FLEET FOR FY 2018	332773	2/6/18	445.36
DELGADO, E	REIMBURSEMENT FOR CPRS	332774	2/6/18	290.00
EAGLE PAVING COMPANY INC	CITYWIDE PEDESTRIAN MIDBLOCK	332775	2/6/18	21,651.11
FEDEX	PACKAGE FOR DELIVERY/HOUSING	332776	2/6/18	87.94
FLEET SERVICES INC	DRUM, CORE, BRAKE KIT / PW	332777	2/6/18	893.27
FLYERS ENERGY LLC	113937 MOBIL SUPER SYNTHETIC OIL 5W 30	332778	2/6/18	1,169.55
FUN EXPRESS LLC	HOLIDAY CRAFTS FOR TINY TOTS PROGRAM/CSD	332779	2/6/18	202.83
GALE SAFLAR	REFUND OF T&A 90240 - ENG	332780	2/6/18	932.56
HARRIS & ASSOCIATES INC	T&A#90203 2510 J AVE	332781	2/6/18	2,508.00
HILLTOP SECURITIES INC	REIMBURSEMENT FOR FEE DUPLICATE PMT	332782	2/6/18	5,000.00
HINDERLITER DE LLAMAS	MARKET ANALYTICS PREPARATION/HOUSING & E	332783	2/6/18	5,000.00
INTERNATIONAL CODE COUNCIL	ELECTRICAL CODE HANDBOOK	332784	2/6/18	291.35
IXII GROUP INC	TRAINING TUITION DISPATCH BULLYING / PD	332785	2/6/18	99.00
KRONOS INC	WORKFORCE TELESTAFF GLOBAL ACCESS V6	332786	2/6/18	5,468.75
LASER SAVER INC	MOP 45725 CHARGES, BUILDING	332787	2/6/18	179.27
LIEBERT CASSIDY WHITMORE	LIABILITY CLAIM COST	332788	2/6/18	17,730.00
LIEBERT CASSIDY WHITMORE	LIABILITY CLAIM COST	332789	2/6/18	2,444.60
LIFE ASSIST INC	EMT3 6 BAY RIBBON DISPENSER / FIRE	332790	2/6/18	390.16
LONG, D	TRAINING REIM	332791	2/6/18	462.91
LOPEZ, J	REIMBURSEME	332792	2/6/18	35.64



WARRANT REGISTER #32
2/6/2018

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
MICHAEL BAKER INTERNATIONAL	LAS PALMAS PROJECT	332793	2/6/18	765.00
PADRE JANITORIAL SUPPLIES	JANITORIAL SUPPLIES / NUTRITION	332794	2/6/18	784.27
PRO BUILD	MOP# 45707. PAINT SUPPLIES/ NSD	332795	2/6/18	142.89
PRO-EDGE KNIFE	KNIFE SHARPING SERVICE / NUTRITION	332796	2/6/18	46.00
PSTC	TRAINING TUITION HIGH RISK EVENTS/ PD	332797	2/6/18	110.00
RIVERSIDE SHERIFF'S DEPT	TRAINING TUITION FIREARMS INSTRUCTOR/ PD	332798	2/6/18	624.00
SAN DIEGO GAS & ELECTRIC	GAS & ELECTRIC UTILITIES / NUTRITION	332799	2/6/18	1,619.85
SAN DIEGO MIRAMAR COLLEGE	TRAINING TUITION BASIC TC INV./ ACEVEDO / PD	332800	2/6/18	138.00
SAN DIEGO UNION TRIBUNE	PUBLIC NOTICES - UNION TRIBUNE	332801	2/6/18	1,174.60
SASE COMPANY INC	VACUUM BAG BOX	332802	2/6/18	128.33
SDG&E	STREETS DIVISION GAS & ELECTRIC UTILITIES	332803	2/6/18	2,492.24
SEAPORT MEAT COMPANY	FOOD / NUTRITION CENTER	332804	2/6/18	1,334.40
SLADE, J	REIMBURSEMENT - MILEAGE FOR MEETINGS	332805	2/6/18	35.64
SOUTH BAY COMMUNITY SERVICES	REIMBURSEMENT CLAIM/ HOUSING & ECON DVLP	332806	2/6/18	10,081.26
SOUTH COAST EMERGENCY	COOLANT, WIRE GAUGE, CONNECTORS / PW	332807	2/6/18	1,485.62
SPARKLETTS	WATER SERVICES / JULY 2017	332808	2/6/18	12.00
STAPLES BUSINESS ADVANTAGE	MOP 45704 OFFICE SUPPLIES/ENG	332810	2/6/18	4,773.53
SUPERIOR READY MIX	COLD MIX ASPHALTS,TACK OIL, 3/8 SHEET	332811	2/6/18	135.55
SWEETWATER AUTHORITY	PARKS DIVISION WATER UTILITIES	332812	2/6/18	7,370.08
SWEETWATER AUTHORITY	WATER UTILITIES - 500 E PLAZA BLVD.	332813	2/6/18	27.54
SYSCO SAN DIEGO INC	FOOD / NUTRITION CENTER	332814	2/6/18	4,141.13
THE HOME DEPOT CREDIT SERVICES	LED LIGHTS FOR A KIMBALL HOLIDAY/CSD	332815	2/6/18	452.14
U S BANK	CREDIT CARD EXPENSES / FIRE	332816	2/6/18	7,774.04
VALLEY POWER SYSTEMS INC	DIAGNOSE CHECK ENGINE LIGHT ON FIRE	332817	2/6/18	186.00
VERIZON WIRELESS	VERIZON CELLULAR SERVICE FOR JANUARY 201	332818	2/6/18	10,302.87
WEST COAST ARBORISTS INC	TREE PRUNING, TRIMMING & REMOVAL / PW	332819	2/6/18	13,900.00
WEST MARINE PRODUCTS INC	CARABINERS FOR AQUATIC CENTER / CSD	332820	2/6/18	96.86
WILLDAN FINANCIAL SERVICES	FEE STUDY / FIRE	332821	2/6/18	732.50
WILLY'S ELECTRONIC SUPPLY	MOP #45763/ELECTRONIC SUPPLIES/MIS	332822	2/6/18	93.83
ACEDO, I	RETIREE HEALTH BENEFIT / FEB 2018	332823	2/6/18	160.00
ANDERSON, E	RETIREE HEALTH BENEFIT / FEB 2018	332824	2/6/18	110.00
BEARD, P	RETIREE HEALTH BENEFIT / FEB 2018	332825	2/6/18	70.00
BECK, L	RETIREE HEALTH BENEFIT / FEB 2018	332826	2/6/18	140.00
BISHOP, R	RETIREE HEALTH BENEFIT / FEB 2018	332827	2/6/18	110.00
BOEGLER, C	RETIREE HEALTH BENEFIT / FEB 2018	332828	2/6/18	260.00
BULL, P	RETIREE HEALTH BENEFIT / FEB 2018	332829	2/6/18	580.00
CARRILLO, R	RETIREE HEALTH BENEFIT / FEB 2018	332830	2/6/18	290.00
COLE, L	RETIREE HEALTH BENEFIT / FEB 2018	332831	2/6/18	165.00
COLLINSON, C	RETIREE HEALTH BENEFIT / FEB 2018	332832	2/6/18	420.00
CONDON, D	RETIREE HEALTH BENEFIT / FEB 2018	332833	2/6/18	280.00
CORDERO, E	RETIREE HEALTH BENEFIT / FEB 2018	332834	2/6/18	520.00
CORPUZ, T	RETIREE HEALTH BENEFIT / FEB 2018	332835	2/6/18	140.00
DANESHFAR, Z	RETIREE HEALTH BENEFIT / FEB 2018	332836	2/6/18	250.00
DESROCHERS, P	RETIREE HEALTH BENEFIT / FEB 2018	332837	2/6/18	110.00
DI CERCHIO, A	RETIREE HEALTH BENEFIT / FEB 2018	332838	2/6/18	70.00
DIAZ, M	RETIREE HEALTH BENEFIT / FEB 2018	332839	2/6/18	680.00
DILLARD, S	RETIREE HEALTH BENEFIT / FEB 2018	332840	2/6/18	480.00
DREDGE, J	RETIREE HEALTH BENEFIT / FEB 2018	332841	2/6/18	250.00
EISER III, G	RETIREE HEALTH BENEFIT / FEB 2018	332842	2/6/18	250.00
FABINSKI, D	RETIREE HEALTH BENEFIT / FEB 2018	332843	2/6/18	220.00



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2/6/2018

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
FERNANDEZ, R	RETIREE HEALTH BENEFIT / JAN 2018	332844	2/6/18	540.00
FIFIELD, K	RETIREE HEALTH BENEFIT / FEB 2018	332845	2/6/18	540.00
GELSKEY, K	RETIREE HEALTH BENEFIT / FEB 2018	332846	2/6/18	115.00
GIBBS JR, R	RETIREE HEALTH BENEFIT / FEB 2018	332847	2/6/18	120.00
GISH, J	RETIREE HEALTH BENEFIT / FEB 2018	332848	2/6/18	290.00
GONZALES, M	RETIREE HEALTH BENEFIT / FEB 2018	332849	2/6/18	480.00
HANSON, E	RETIREE HEALTH BENEFIT / FEB 2018	332850	2/6/18	135.00
HARLAN, M	RETIREE HEALTH BENEFIT / FEB 2018	332851	2/6/18	500.00
HAUG, S	RETIREE HEALTH BENEFIT / FEB 2018	332852	2/6/18	120.00
HERNANDEZ, R	RETIREE HEALTH BENEFIT / FEB 2018	332853	2/6/18	400.00
HODGES, B	RETIREE HEALTH BENEFIT / FEB 2018	332854	2/6/18	200.00
HONDO, E	RETIREE HEALTH BENEFIT / FEB 2018	332855	2/6/18	110.00
IBARRA, J	RETIREE HEALTH BENEFIT / FEB 2018	332856	2/6/18	780.00
JAMES, R	RETIREE HEALTH BENEFIT / FEB 2018	332857	2/6/18	140.00
JUNIEL, R	RETIREE HEALTH BENEFIT / FEB 2018	332858	2/6/18	50.00
KIMBLE, R	RETIREE HEALTH BENEFIT / FEB 2018	332859	2/6/18	300.00
LANDA, A	RETIREE HEALTH BENEFIT / FEB 2018	332860	2/6/18	155.00
LIMFUECO, M	RETIREE HEALTH BENEFIT / FEB 2018	332861	2/6/18	160.00
MATIENZO, M	RETIREE HEALTH BENEFIT / FEB 2018	332862	2/6/18	100.00
MC CABE, T	RETIREE HEALTH BENEFIT / FEB 2018	332863	2/6/18	280.00
MCDANIEL, P	RETIREE HEALTH BENEFIT / FEB 2018	332864	2/6/18	290.00
MEDINA, R	RETIREE HEALTH BENEFIT / FEB 2018	332865	2/6/18	105.00
MINER, D	RETIREE HEALTH BENEFIT / FEB 2018	332866	2/6/18	580.00
NOTEWARE, D	RETIREE HEALTH BENEFIT / FEB 2018	332867	2/6/18	120.00
OLIVARES, G	RETIREE HEALTH BENEFIT / FEB 2018	332868	2/6/18	280.00
PAUU JR, P	RETIREE HEALTH BENEFIT / FEB 2018	332869	2/6/18	340.00
PEASE JR, D	RETIREE HEALTH BENEFIT / FEB 2018	332870	2/6/18	140.00
PETERS, S	RETIREE HEALTH BENEFIT / FEB 2018	332871	2/6/18	290.00
POST, R	RETIREE HEALTH BENEFIT / FEB 2018	332872	2/6/18	280.00
RAY, S	RETIREE HEALTH BENEFIT / FEB 2018	332873	2/6/18	190.00
ROARK, L	RETIREE HEALTH BENEFIT / FEB 2018	332874	2/6/18	135.00
RUIZ, J	RETIREE HEALTH BENEFIT / FEB 2018	332875	2/6/18	310.00
SANCHEZ, L	RETIREE HEALTH BENEFIT / FEB 2018	332876	2/6/18	330.00
SERVATIUS, J	RETIREE HEALTH BENEFIT / FEB 2018	332877	2/6/18	340.00
SHORT, C	RETIREE HEALTH BENEFIT / FEB 2018	332878	2/6/18	300.00
SMITH, J	RETIREE HEALTH BENEFIT / FEB 2018	332879	2/6/18	320.00
STEWART, W	RETIREE HEALTH BENEFIT / FEB 2018	332880	2/6/18	200.00
STRASEN, W	RETIREE HEALTH BENEFIT / FEB 2018	332881	2/6/18	135.00
TIPTON, B	RETIREE HEALTH BENEFIT / FEB 2018	332882	2/6/18	250.00
VERRY, L	RETIREE HEALTH BENEFIT / FEB 2018	332883	2/6/18	280.00
VILLAGOMEZ, J	RETIREE HEALTH BENEFIT / FEB 2018	332884	2/6/18	480.00
WHITE, J	RETIREE HEALTH BENEFIT / FEB 2018	332885	2/6/18	230.00
DELTA DENTAL	DENTAL INS PREMIER FEB 2018	332886	2/6/18	15,489.25
DELTA DENTAL	DENTAL INS PREMIER JAN 2018	332887	2/6/18	15,466.64
DELTA DENTAL	COBRA PREMIER DENTAL INS OCT 2017	332888	2/6/18	180.88
DELTA DENTAL	COBRA PREMIER DENTAL INS JAN 2018	332889	2/6/18	90.44
DELTA DENTAL	COBRA PREMIER DENTAL INS FEB 2018	332890	2/6/18	90.44
DELTA DENTAL	COBRA PREMIER DENTAL INS NOV 2017	332891	2/6/18	90.44
DELTA DENTAL INSURANCE CO	PMI DENTAL INS	332892	2/6/18	2,933.70
DELTA DENTAL INSURANCE CO	PMI DENTAL INS	332893	2/6/18	2,878.26



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<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
DELTA DENTAL INSURANCE CO	COBRA DENTAL INS PMI OCT 2017	332894	2/6/18	33.00
DELTA DENTAL INSURANCE CO	COBRA DENTAL INS PMI NOV 2017	332895	2/6/18	33.00
DELTA DENTAL INSURANCE CO	COBRA DENTAL INS PMI JAN 2018	332896	2/6/18	33.00
HEALTH NET	HEALTH FULL NETWORK 57135A FEB 2018	332897	2/6/18	5,962.60
HEALTH NET	HEALTH FULL NETWORK 57135A JAN 2018	332898	2/6/18	5,761.00
HEALTH NET INC	HEALTH NET INS R1192A FEB 2018	332899	2/6/18	87,000.90
HEALTH NET INC	HEALTH NET INS R1192A JAN 2018	332900	2/6/18	84,378.62
KAISER FOUNDATION HEALTH PLANS	KAISER HD H S A INS JAN 2018	332901	2/6/18	4,178.86
KAISER FOUNDATION HEALTH PLANS	KAISER RETIREES INS COBRA JAN 2018	332902	2/6/18	1,049.92
KAISER FOUNDATION HEALTH PLANS	KAISER RETIREES INS COBRA FEB 2018	332903	2/6/18	1,049.92
RELiance STANDARD	VOLUNTARY LIFE INSURANCE JAN 2018	332904	2/6/18	2,902.65
RELiance STANDARD	VOLUNTARY LIFE INSURANCE FEB 2018	332905	2/6/18	2,902.65
A/P Total				833,844.20
 WIRED PAYMENTS				
PUBLIC EMP RETIREMENT SYSTEM	SERVICE PERIOD 01/02/18 - 01/15/18	2022018	2/2/18	236,622.03
PUBLIC EMP RETIREMENT SYSTEM	SERVICE PERIOD 11/21/17 - 12/04/17	2022018	2/2/18	232,439.69

GRAND TOTAL

\$1,302,905.92

Certification

IN ACCORDANCE WITH SECTION 37202, 37208, 372059 OF THE GOVERNMENT CODE, WE HEREBY CERTIFY TO THE ACCURACY OF THE DEMANDS LISTED ABOVE AND TO THE AVAILABILITY OF FUNDS FOR THE PAYMENT THEREOF AND FURTHER THAT THE ABOVE CLAIMS AND DEMANDS HAVE BEEN AUDITED AS REQUIRED BY LAW.



MARK ROBERTS, FINANCE

LESLIE DEESE, CITY MANAGER

FINANCE COMMITTEE

RONALD J. MORRISON, MAYOR-CHAIRMAN

ALBERT MENDIVIL, VICE-MAYOR

ALEJANDRA SOTELO-SOLIS, MEMBER

MONA RIOS, MEMBER

JERRY CANO, MEMBER

I HEREBY CERTIFY THAT THE FOREGOING CLAIMS AND DEMANDS WERE APPROVED AND THE CITY TREASURER IS AUTHORIZED TO ISSUE SAID WARRANTS IN PAYMENT THEREOF BY THE CITY COUNCIL ON THE 20th OF MARCH 2018.

AYES_____

NAYS_____

ABSENT_____

The following page(s) contain the backup material for Agenda Item: Warrant Register #33 for the period of 02/07/18 through 02/13/18 in the amount of \$1,696,612.61.
(Finance)

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: March 20, 2018

AGENDA ITEM NO.:

ITEM TITLE:

Warrant Register #33 for the period of 02/07/18 through 02/13/18 in the amount of \$1,696,612.61.
(Finance)

PREPARED BY: Karla Apalategui, Accounting Assistant

DEPARTMENT: Finance

PHONE: 619-336-4572

APPROVED BY: _____

EXPLANATION:

Per Government Section Code 37208, attached are the warrants issued for the period of 02/07/18 through 02/13/18.

Consistent with Department of Finance, listed below are all payments above \$50,000.

<u>Vendor</u>	<u>Check/Wire</u>	<u>Amount</u>	<u>Explanation</u>
Adminsire Inc	591945	78,550.05	W/C Acct Replenishment / Jan 2018
Public Emp Ret System	2092018	230,893.83	Service Period 01/16/18 – 01/29/18

FINANCIAL STATEMENT:

APPROVED: Mark Ralvito **FINANCE**

ACCOUNT NO.

APPROVED: _____ **MIS**

Warrant total \$1,696,612.61.

ENVIRONMENTAL REVIEW:

This is not a project and, therefore, not subject to environmental review.

ORDINANCE: **INTRODUCTION** ☐ **FINAL ADOPTION** ☐

STAFF RECOMMENDATION:

Ratify warrants totaling \$1,696,612.61

BOARD / COMMISSION RECOMMENDATION:

ATTACHMENTS:

Warrant Register #33



WARRANT REGISTER #33
2/13/2018

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
KAISER FOUNDATION HEALTH PLANS	KAISER RETIREES INS THRU CALPERS FEB 2018	332906	2/13/18	20,069.40
KAISER FOUNDATION HEALTH PLANS	KAISER RETIREES INS THRU CALPERS JAN 2018	332907	2/13/18	19,932.63
KAISER FOUNDATION HEALTH PLANS	KAISER RETIREES INS FEBRUARY 2018	332908	2/13/18	6,830.04
KAISER FOUNDATION HEALTH PLANS	KAISER RETIREES INS JANUARY 2018	332909	2/13/18	6,430.05
NBS	MILE OF CARS LANDSCAPE MAINT. DISTRICT	332910	2/13/18	866.40
ACME SAFETY & SUPPLY CORP	ANCHOR, SLEEVE / PW	332911	2/13/18	24.58
AETNA BEHAVIORAL HEALTH	EMPLOYEE ASSISTANCE PROGRAM FEB 2018	332912	2/13/18	812.66
AIRGAS WEST	45714 SAFETY APPAREL PW	332913	2/13/18	37.67
ALTA LANGUAGE SERVICES INC	EMPLOYEE BILINGUAL TESTING	332914	2/13/18	120.00
BOOT WORLD	64096 WEARING APPAREL PW	332915	2/13/18	974.05
CALIFORNIA COMMERCIAL SECURITY	45754 BUILDING SUPPLIES PW	332916	2/13/18	213.75
CALIFORNIA ELECTRIC SUPPLY	45698 ELECTRIC SUPPLIES PW	332917	2/13/18	664.77
CALIFORNIA PUBLIC	CPPA MEMBERSHIP / NSD	332918	2/13/18	135.00
CLAIMS MANAGEMENT ASSOCIATES	PROFESSIONAL SERVICES	332919	2/13/18	3,960.00
COMMERCIAL AQUATIC SERVICE INC	CHEMICAL SUPPLIES PURCHASES / PW	332920	2/13/18	164.43
COUNTYWIDE MECHANICAL	CITY WIDE ONSITE HEATING & VENTILATION /PW	332921	2/13/18	1,360.21
DEPARTMENT OF JUSTICE	INVESTIGATIVE SERVICES DECEMBER 2017	332922	2/13/18	192.00
ENTERPRISE FLEET MANAGEMENT	ENTERPRISE FLEET MAINT AND LEASE- ENG	332923	2/13/18	14,866.36
EXPRESS PIPE AND SUPPLY CO INC	CITY WIDE PLUMBING PARTS, MATERIALS	332924	2/13/18	70.78
HARRIS, ROY	FUNCTION FITNESS TRAINING ARREST & CONTROL	332925	2/13/18	750.00
JARVIS FAY DOPORTO	LIABILITY CLAIM COST	332926	2/13/18	9,305.50
JARVIS FAY DOPORTO	LIABILITY CLAIM COST	332927	2/13/18	6,918.50
JARVIS FAY DOPORTO	LIABILITY CLAIM COST	332928	2/13/18	517.50
JJJ ENTERPRISES	FIRE AND SECURITY ALARM MONITORING / PW	332929	2/13/18	1,580.00
JOHNSON EQUIPMENT COMPANY	BATTALION CHIEF VEHICLE EXTRA BUILD OUT	332930	2/13/18	4,162.41
MAINTEX INC	CITY WIDE JANITORIAL SUPPLIES / PW	332931	2/13/18	721.78
MASON'S SAW	CITY WIDE GENERATOR & TOOL SALES / PW	332932	2/13/18	2,818.25
MICRONICHE INC	PROFESSIONAL SERVICES	332933	2/13/18	900.00
NATIONAL CITY ELECTRIC	CITY WIDE ELECTRICAL MAINTENANCE	332934	2/13/18	8,915.00
NATIONAL CITY HISTORICAL	ANNUAL EXPENSE PAYMENT/HOUSING & ECON DV	332935	2/13/18	5,000.00
NATIONAL CITY TROPHY	66556 OFFICE SUPPLIES PW	332936	2/13/18	81.56
ORKIN	PEST AND RODENT CONTROL SERVICES FOR FY	332937	2/13/18	882.00
PARTS AUTHORITY METRO LLC	75943 AUTOMOBILE SUPPLIES PW	332938	2/13/18	327.90
PERRY FORD	45703 VEHICLE SERVICES PW	332939	2/13/18	178.99
PHILLIPS JR, W	TRAINING ADV LODGING SUB GANG CONF/ PD	332940	2/13/18	320.46
POWERSTRIDE BATTERY CO INC	67839 VEHICLE SERVICES PW	332941	2/13/18	328.14
PRO BUILD	45707 GENERAL SUPPLIES PW	332942	2/13/18	1,959.94
PRUDENTIAL OVERALL SUPPLY	45742 LAUNDRY SERVICES PW	332943	2/13/18	796.93
RAMIREZ, O	TRAINING ADV LODGE SUB ACTIVE SHOOTER / PD	332944	2/13/18	778.40
RIVERSIDE COUNTY GANG	TRAINING TUITION FOR GANG CON/PHILLIPS	332945	2/13/18	380.00
RIVERSIDE SHERIFF'S DEPT	24 HOUR PERISHABLE SKILLS/ SHANAHAN	332946	2/13/18	160.00
IDEMIA IDENTITY & SECURITY USA	INVESTIGATIVE SERVICES DECEMBER 2017	332947	2/13/18	12.00
SAM'S ALIGNMENT	72442 AUTO SERVICES PW	332948	2/13/18	100.00
SAN DIEGO UNION TRIBUNE	UNION TRIBUNE - PUBLIC NOTICES	332949	2/13/18	1,351.00
SANDERS, J	REIMBURSEMENT OF MEDIC FEES	332950	2/13/18	242.50
SDG&E	FACILITIES DIVISION GAS & ELECTRIC	332951	2/13/18	28,721.49
SHANAHAN, M	TRAINING ADV SUB 24 HOUR PERISHABLE SKILL	332952	2/13/18	384.00
SITEONE LANDSCAPE SUPPLY LLC	47521 LANDSCAPE SUPPLIES PW	332953	2/13/18	680.72
SOUTHERN CALIF TRUCK STOP	45758 OIL SUPP	332954	2/13/18	42.51
STAPLES BUSINESS ADVANTAGE	45704 OFFICE S	332956	2/13/18	2,762.86



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<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
SULLIVAN, C	TRAINING ADV LODGE SUB ACTIVE SHOOTER / PD	332957	2/13/18	778.40
SWEETWATER AUTHORITY	FACILITIES DIVISION WATER BILL FY 2018	332958	2/13/18	24,998.74
T MAN TRAFFIC SUPPLY	76666 TRAFFIC PAINT SUPPLIES PW	332959	2/13/18	1,542.28
THE HOME DEPOT CREDIT SERVICES	SUCCULENTS, WIRE BRUSH, BRUSH, CLEAR	332960	2/13/18	146.52
THE LIGHTHOUSE INC	45726 LIGHTING SUPPLIES PW	332961	2/13/18	125.06
TODD PIPE & SUPPLY LLC	CITY WIDE PLUMBING MATERIALS & PARTS / PW	332962	2/13/18	39.63
TOPECO PRODUCTS	63849 BOLTS FOR PW	332963	2/13/18	196.17
U S HEALTHWORKS	PRE-EMPLOYMENT PHYSICAL/HR	332964	2/13/18	558.00
UNITED RENTALS	GENERATOR RENTAL FOR POLICE DEPARTMENT	332965	2/13/18	4,244.32
VALLEY POWER SYSTEMS INC	SENSOR NOX	332966	2/13/18	315.46
VISTA PAINT	MOP# 68834. PAINT SUPPLIES/ NSD	332967	2/13/18	1,220.73
WILLY'S ELECTRONIC SUPPLY	45763 AUTO SUPPLIES PW	332968	2/13/18	146.18
REGIONAL TRAINING CENTER	SD REGIONAL TRAINING CENTER / CMO	332969	2/13/18	300.00
ABLE PATROL & GUARD	SECURITY GUARD SERVICE FOR FY2018 - LIBRARY	332970	2/13/18	2,945.20
AMAZON	BOOKS AS NEEDED FOR FY2018 - LIBRARY	332971	2/13/18	844.58
ATLANTIC SAFETY PRODUCTS INC	NITRILE EXAM GLOVES / POLICE	332972	2/13/18	10,265.50
BAKER & TAYLOR	BOOKS AS NEEDED FOR FY2018 - LIBRARY	332973	2/13/18	2,851.98
BOATMAN, M	MILEAGE REIMBURSEMENT TO ATTEND SDCL MTG	332974	2/13/18	13.08
BOOT WORLD	64096 SAFETY APPAREL PW	332975	2/13/18	358.78
BRODART CO	BOOKS FOR FY2018 - LIBRARY	332976	2/13/18	490.47
CDWG	HP LASERJET COLOR PRINTER M750DN / MIS	332977	2/13/18	3,086.53
CHILDREN'S HOSPITAL	SEXUAL ABUSE TESTING / PD	332978	2/13/18	922.00
COLSON, K	TRAINING REIMB DISPATCHER PUBLIC SAFETY / PD	332979	2/13/18	140.82
COUNTY OF SAN DIEGO	AUTOPSY CLOTHING / PD	332980	2/13/18	90.00
CSI FORENSIC SUPPLY	GUNSHOT RESIDUE TESTS / PD	332981	2/13/18	527.44
DALEY & HEFT LLP	LIABILITY CLAIM COST	332982	2/13/18	10,387.45
DALEY & HEFT LLP	LIABILITY CLAIM COST	332983	2/13/18	4,062.30
DALEY & HEFT LLP	LIABILITY CLAIM COST	332984	2/13/18	1,874.22
DALEY & HEFT LLP	LIABILITY CLAIM COST	332985	2/13/18	1,614.72
DALEY & HEFT LLP	LIABILITY CLAIM COST	332986	2/13/18	431.36
DALEY & HEFT LLP	LIABILITY CLAIM COST	332987	2/13/18	102.50
DANIELS TIRE SERVICE	MOP 76986 / TIRE SUPPLIES PW	332988	2/13/18	44.60
DAY WIRELESS SYSTEMS	XTS5000 BATTERIES / FIRE	332989	2/13/18	352.57
DELL MARKETING L P	DJI PHANTOM PRO QUADCOPTER / PD	332990	2/13/18	4,437.00
DIMENSION DATA	CABLING IN ACCOUNTING AT CITY HALL	332991	2/13/18	730.00
DUNBAR ARMORED INC	ARMORED SERVICES - FINANCE	332992	2/13/18	249.42
ESGIL CORPORATION	PLAN CHECKS / BUILDING	332993	2/13/18	11,733.18
EVIDENT CRIME SCENE PRODUCTS	PROPERTY AND EVIDENCE SUPPLIES / PD	332994	2/13/18	3,580.60
FIRE ETC	STATION BOOTS / FIRE	332995	2/13/18	674.25
GRAINGER	MOP 65179 GENERAL SUPPLIES PW	332996	2/13/18	89.29
KAISER FOUNDATION HEALTH PLANS	KAISER RETIREES INS COBRA FEB 2018	332997	2/13/18	1,049.92
KAISER FOUNDATION HEALTH PLANS	KAISER RETIREES INS COBRA JAN 2018	332998	2/13/18	1,049.92
LANGUAGE LINE SERVICES	TRANSLATION SERVICES	332999	2/13/18	121.24
LASER SAVER INC	MOP / TONER / PD	333000	2/13/18	1,452.36
LIFE ELEMENTS INC	DISINFECTANT WIPES / FIRE	333001	2/13/18	281.50
MAN K9 INC	MAINTENANCE TRAINING IN PATROL WORK / PD	333002	2/13/18	1,040.00
MHZ COMMUNICATIONS ENT	SIGTRONICS INTERCOM, HEADSET / FIRE	333003	2/13/18	1,360.24
MIDWEST TAPE	AUDIO VISUAL MATERIALS FOR FY2018 - LIBRARY	333004	2/13/18	481.77
MOBILE MINI LLC	PORTABLE STORAGE / DOM / CSD	333005	2/13/18	527.44
NEW READERS PRESS	WORKBOOKS FOR / REPT - LIBRARY	333006	2/13/18	128.25



WARRANT REGISTER #33
2/13/2018

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
NEWSBANK INC	DATABASE SUBSCRIPTION FOR FY2018 - LIBRARY	333007	2/13/18	4,770.00
O'REILLY AUTO PARTS	75877 AUTO SUPPLIES PW	333008	2/13/18	0.02
O'REILLY AUTO PARTS	75877 AUTO SUPPLIES PW	333009	2/13/18	69.62
PACIFIC TELEMAGEMENT SERVICE	PACIFIC TELECOMMUNICATIONS SERVICES - FEB	333010	2/13/18	85.80
PARTS AUTHORITY METRO LLC	75943 AUTO SUPPLIES PW	333011	2/13/18	302.93
PCS MOBILE	VERIZON UPGRADE FOR MDCS	333012	2/13/18	877.62
PLANETBIDS INC	SYSTEM, VENDOR BID MANAGEMENT	333013	2/13/18	4,234.32
POWERSTRIDE BATTERY CO INC	67839 AUTO SUPPLIES PW	333014	2/13/18	372.85
PRO BUILD	45707 GENERAL SUPPLIES PW	333015	2/13/18	454.75
PROFORCE LAW ENFORCEMENT	TASER CARTRIDGES / PD	333016	2/13/18	6,720.95
RIVERSIDE SHERIFF'S DEPT	TRAINING TUITION FOR FTO UPDATE/ LONG	333017	2/13/18	125.00
ROCKWERX INC	HORIZONTAL AGILITY CIRCUIT FOR CASA DE SALUD	333018	2/13/18	12,211.88
RODRIGUEZ, M	TRAINING ADV LODGING 2018 / PD	333019	2/13/18	870.92
ROUNDS, R	REPLENISH CONFIDENTIAL FUND PD	333020	2/13/18	2,700.00
S & S RECREATION WORLDWIDE	ARTS SUPPLIES FOR CAMACHO / CSD	333021	2/13/18	92.64
S D COUNTY SHERIFF'S DEPT	RANGE USE TRAINING / PD	333022	2/13/18	300.00
SMART & FINAL	MOP 45756, FIRE CHARGES	333023	2/13/18	503.10
STAPLES BUSINESS ADVANTAGE	MOP 45704, FIRE CHARGES	333024	2/13/18	1,293.48
STATE OF CALIFORNIA	WORKERS CLAIM COSTS	333025	2/13/18	48,098.81
SYMBOLARTS, LLC	BADGE REPAIRS / PD	333026	2/13/18	273.00
THE COUNSELING TEAM	EMPLOYEE SUPPORT SERVICES DECEMBER 2017	333027	2/13/18	800.00
THE HOME DEPOT CREDIT SERVICES	LED LIGHTS FOR A KIMBALL HOLIDAY / CSD	333028	2/13/18	595.10
TOPECO PRODUCTS	63849 AUTO SUPPLIES PW	333029	2/13/18	2.97
TSC GROUP INC	LEASE, STATION #33	333030	2/13/18	2,302.78
U S BANK	TRAINING POLICE CREDIT CARD	333031	2/13/18	1,118.27
VCA EMERGENCY ANIMAL HOSPITAL	STRAY ANIMAL PET CARE / PD	333032	2/13/18	615.64
VERIZON WIRELESS	VERIZON CELLULAR SERVICE FOR JANUARY 2018	333033	2/13/18	233.25
WAXIE SANITARY SUPPLY	JANITORIAL SUPPLIES / FIRE	333034	2/13/18	191.57
WEST PAYMENT CENTER	INVESTIGATIONS TOOL / PD	333035	2/13/18	585.00
WESTFLEX INDUSTRIAL	63850 AUTO SUPPLIES PW	333036	2/13/18	3.18
WETMORES	80333 AUTO SUPPLIES PW	333037	2/13/18	131.85
WILLY'S ELECTRONIC SUPPLY	45763 AUTO SUPPLIES PW	333038	2/13/18	63.77

A/P Total 355,810.16

WIRED PAYMENTS

ARCO BUSINESS SOLUTIONS	FUEL FOR CITY FLEET JANUARY 2018	591891	2/8/18	30,020.33
ADMINSURE INC	W/C ACCT REPLENISHMENT JAN 2018	591945	2/8/18	78,550.05
PUBLIC EMP RETIREMENT SYSTEM	SERVICE PERIOD 01/16/18 - 01/29/18	2092018	2/9/18	230,893.83

PAYROLL

Pay period	Start Date	End Date	Check Date	
4	1/30/2018	2/14/2018	2/21/2018	1,001,338.24

GRAND TOTAL

\$1,696,612.61

Certification

IN ACCORDANCE WITH SECTION 37202, 37208, 372059 OF THE GOVERNMENT CODE, WE HEREBY CERTIFY TO THE ACCURACY OF THE DEMANDS LISTED ABOVE AND TO THE AVAILABILITY OF FUNDS FOR THE PAYMENT THEREOF AND FURTHER THAT THE ABOVE CLAIMS AND DEMANDS HAVE BEEN AUDITED AS REQUIRED BY LAW.



MARK ROBERTS, FINANCE

LESLIE DEESE, CITY MANAGER

FINANCE COMMITTEE

RONALD J. MORRISON, MAYOR-CHAIRMAN

ALBERT MENDIVIL, VICE-MAYOR

ALEJANDRA SOTELO-SOLIS, MEMBER

MONA RIOS, MEMBER

JERRY CANO, MEMBER

I HEREBY CERTIFY THAT THE FOREGOING CLAIMS AND DEMANDS WERE APPROVED AND THE CITY TREASURER IS AUTHORIZED TO ISSUE SAID WARRANTS IN PAYMENT THEREOF BY THE CITY COUNCIL ON THE 20th OF MARCH 2018.

AYES_____

NAYS_____

ABSENT_____

The following page(s) contain the backup material for Agenda Item: Public Hearing and Introduction of an Ordinance of the City Council of the City of National City amending Chapter 10.43 of the National City Municipal Code concerning alcohol and illegal drug offenses by minors and juveniles. Public Hearing and Introducti

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: March 6, 2018

AGENDA ITEM NO.

ITEM TITLE:

Public Hearing and Introduction of an Ordinance of the City Council of the City of National City amending Chapter 10.43 of the National City Municipal Code concerning alcohol & illegal drug offenses by minors and juveniles.

PREPARED BY: Nicole Pedone, Sr. Asst. City Attorney

DEPARTMENT: City Attorney

PHONE: 336-4221

APPROVED BY: 

EXPLANATION:

Please see attached staff report.

FINANCIAL STATEMENT:

APPROVED: _____ Finance

ACCOUNT NO.

APPROVED: _____ MIS

N/A

ENVIRONMENTAL REVIEW:

This activity is not a project as defined in Section 15378 of the California Code of Regulations; therefore, no further action is required under the California Environmental Quality Act.

ORDINANCE: INTRODUCTION: ☒ FINAL ADOPTION: ☐

STAFF RECOMMENDATION:

Introduce an ordinance amending Chapter 10.43 of the National City Municipal Code concerning alcohol and illegal drug offenses by minors and juveniles to strengthen the current Municipal Code by including marijuana as an illegal substance, adding clearer definitions, adding a knowledge element to the language of the City's Social Host Ordinance, and setting forth the remedies available to the City for violations of the ordinance.

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

Staff Report
Strikeout version of Ordinance
Proposed Ordinance

Section 1. Title 10, Division V, Chapter 10.43 of the Municipal Code is amended to read as follows:

CHAPTER 10.43

ALCOHOL, MARIJUANA, AND OTHER CONTROLLED SUBSTANCES ~~AND ILLEGAL DRUG~~ OFFENSES BY MINORS AND JUVENILES, AND REIMBURSEMENT FROM RESPONSIBLE PERSONS FOR THE COST OF ENFORCEMENT SERVICES

Sections:

10.43.010	Definitions
10.43.020	<u>Consumption of alcoholic beverages, marijuana, or other controlled substances by minors prohibited in public places, places open to public, or places not open to public.</u>
	Unsupervised consumption of alcohol by minor at private property
10.43.030	<u>Hosting, allowing a gathering where minors consuming alcoholic beverages, marijuana or other controlled substances prohibited.</u> Serving alcohol and/or controlled substances to minors at parties, gatherings or events on private property
10.43.040	Enforcement services at a party, gathering, or event on private property
10.43.050	Reimbursement for cost of law enforcement services
10.43.060	Reservation of legal options
10.43.070	Violations

10.43.010 Definitions.

A. For purposes of this Chapter, "marijuana" shall have the same meaning as the definition of that word in Section 11018 of the California Health and Safety Code.

B. "Alcohol" means ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, from whatever source or by whatever process produced.

C. "Alcoholic beverage" is as defined by Business and Professions Code section 23004.

D. "Controlled substances or illegal drugs" shall include all narcotics, ~~or drugs, or substances, whose possession and use are regulated under the~~, the possession of which is illegal under the laws of the State of California as defined under the Penal Code, Health and Safety Code, and related statutes. Controlled Substances Act. Such term does not include any drug or substance for which the individual found to have consumed such substance has a valid prescription issued by a licensed medial practitioner authorized to issue such a prescription.

E. "Enforcement services" includes the salaries and benefits of ~~police officers~~ law enforcement, fire, ~~or other~~ code enforcement personnel, or other emergency response providers for the amount of time actually spent in responding to, or in remaining at, or otherwise dealing with the party, gathering, or event and the administrative costs attributable to the incident; the actual cost of any medical treatment to injured ~~police officers~~ law enforcement, fire, ~~or other~~ code enforcement personnel, or other emergency response personnel; and the cost of repairing any damaged City equipment or property; and the cost arising from the use of any damaged equipment in responding to, ~~or~~ remaining at, or leaving the party, gathering, or event.

F. "Juvenile" means any person under eighteen (18) years of age.

G. “Guardian” means (1) a person who, under court order, is the guardian of the person of a minor; or (2) a public or private agency with whom a minor has been placed by the court.

H. “Minor” means any person under twenty-one (21) years of age.

I. “Parent” means a person who is a natural parent, adoptive parent, or step-parent of another person.

J. “Party, gathering, or event” means a ~~group of persons~~ party or gathering of two or more persons at or on a residence or other private property or premises, who have assembled or are assembling for a party, social occasion or social activity.

K. “Residence or premises” means a hotel or motel room, home, yard, apartment, condominium, or other dwelling unit, or a hall or meeting room, whether occupied on a temporary or permanent basis, whether occupied as a dwelling or for a party or other social function, whether private property or public place, and whether owned, leased, rented, or used with or without compensation.

L. ~~“Person(s) responsible for the event~~ Responsible person” includes, but is not limited to: (1) The person(s) who owns, rents, leases, or otherwise has control of the premises where the party, gathering or event takes place; (2) the person(s) in charge of the premises including the landlord of another person responsible for the gathering; or (3) ~~the any~~ persons(s) who host, organize, supervise, permit, officiate, conduct or control the gathering or any other persons accepting responsibility for such a gathering. ~~organized the event.~~ If a person responsible for the event is a juvenile, then the parents or guardians of that juvenile and the juvenile will be jointly and severally liable for the costs incurred for enforcement services pursuant to this chapter. To incur liability for enforcement services imposed by this chapter, the responsible person for the gathering need not be present at such gathering resulting in the response giving rise to the imposition of enforcement services. This chapter therefore imposes vicarious as well as direct liability upon a responsible person.

M. A “social host” is an adult who permits a party, gathering, or event where one or more minors consume one or more alcoholic beverages, marijuana or other controlled substances on property owned or controlled by an adult.

10.43.020 ~~Unsupervised Consumption of Alcohol by Minor at Private Property.~~ Consumption of alcoholic beverages, marijuana, or other controlled substances by minors prohibited in public places, places open to public, or places not open to public.

–Except as permitted by state law, no minor shall:

A. Consume ~~in at~~ any public place or any places open to the public any alcoholic beverage, marijuana or other controlled substance; or ~~or consume at any place not open to the public any alcoholic beverage.~~

B. Consume at any place not open to the public any alcoholic beverage, marijuana, or other controlled substance, unless in connection with the consumption of the alcoholic beverage that minor is being supervised by his or her parent or legal guardian. ~~This section shall not apply to conduct involving the administration of alcohol to or use of an alcoholic beverage by a minor child which occurs exclusively under the supervision of his or her parent or legal guardian, or to the consumption of an alcoholic beverage at any place regulated by the California Department of Alcoholic Beverage Control.~~

10.43.030 ~~Serving of Alcohol and/or controlled substances to Minors at Parties, Gatherings or Events on Private Property.~~ Hosting, allowing a gathering where minors consuming alcoholic beverages, marijuana and other controlled substances prohibited.

A. Except as permitted by Article 1, Section 4, of the California Constitution, ~~no person shall suffer, permit, allow, or host a party, gathering, or event at his or her place of residence or other private property, place, or premises under his or her control where three (3) or more~~

~~minors are present and alcoholic beverages or illegal drugs, or both, are being consumed by any minor.~~ it is unlawful for any person having control of any premises who knows or should reasonably know that he or she has hosted, permitted, or allowed a gathering to take place at said premises, where at least one minor consumes an alcoholic beverage, marijuana or other controlled substance wherever the person having control of the premises either knows a minor has consumed an alcoholic beverage, marijuana or other controlled substance or reasonably should have known that a minor consumed an alcoholic beverage, marijuana or other controlled substance by a minor.

B. It is the duty of any person having control of any premises, who knows or should know that he or she has hosted, permitted, or allowed a gathering at said premises to take all reasonable steps to prevent the consumption of alcoholic beverages, marijuana, or other controlled substances by any minor at the gathering. Reasonable steps include, but are not limited to:

(1) controlling access to alcoholic beverages, marijuana or other controlled substances at the gathering;

(2) controlling the quantity of alcoholic beverages, marijuana or other controlled substances present at the gathering;

(3) verifying the age of the persons attending the gathering by inspecting drivers licenses or other government-issued identification cards to ensure that minors do not consume alcoholic beverages, marijuana or other controlled substances while at the gathering; and

(4) supervising the activities of minors at the gathering.

C. Whenever a person having control of a residence or premises is present at the residence or premises at the time that a minor possesses or consumes any alcoholic beverage or controlled substance thereon, it shall be prima facie evidence that such person had the knowledge or should have had the knowledge specified in this section.

D. A person who hosts, permits, or allows a gathering shall be deemed to have actual or constructive knowledge that a minor has consumed or possessed alcoholic beverages, marijuana, or controlled substances if the person has not taken all reasonable steps to prevent the consumption or possession of alcoholic beverages, marijuana or controlled substances by a minor or as set forth in this section.

EB. This section shall not apply to conduct involving the administration of alcohol to or use of an alcoholic beverage by a minor child which occurs exclusively under the supervision of his or her parent or legal guardian, or to the consumption of an alcoholic beverage at any place regulated by the California Department of Alcoholic Beverage Control.

10.43.040 Enforcement Services at a Party, Gathering or Event on Private Property. When any party, gathering or event occurs on private property as described in Section 10.43.030 and a police officer, fire or code enforcement personnel, ~~or other code enforcement officer~~ or other emergency response providers at the scene determines that there is a threat or detriment to the public peace, health, safety or general welfare, the person(s) responsible for the party, gathering or event shall be liable for the actual cost of enforcement services provided during a response by the police, fire, ~~or other~~ code enforcement personnel, or other emergency response providers.

10.43.050 Reimbursement for Cost of Law Enforcement Services. The actual cost of the enforcement services described in Section 10.43.040 shall be deemed a debt owed to the City by the person responsible for the event and, if that person is a juvenile, their parents or

guardians. Any person owing such debt after demand has been refused shall be liable in an action brought in the name of the City for recovery of the same.

10.43.060 Reservation of Legal Options. The City of National City reserves its right to seek reimbursement for actual costs of enforcement services through other legal remedies or procedures. The procedure provided for in this chapter is in addition to any other statute, ordinance or law, civil or criminal. This chapter in no way limits the statutory authority of peace officers or private citizens to make arrests for any criminal offense arising out of conduct regulated by this Article.

10.43.070 Violations. ~~Violation of any of the mandatory provisions or prohibitions of this chapter is a misdemeanor, punishable by a fine of \$1000 and imprisonment for a period not to exceed six (6) months, or by both fine and imprisonment.~~ A. General Penalty. All means of enforcement authorized under this code may be used to address violations of this chapter, including, but not limited to: criminal actions, civil penalties, nuisance abatement, civil actions including injunctive relief, and administrative citations. Violations of this chapter may be charged as a misdemeanor in accordance with National City Municipal Code chapter 1.20 and shall be punishable to the fullest extent of the law including a one thousand dollar fine and/or six months of jail.

B. Public Nuisance. A violation of the chapter is hereby declared to be a public nuisance and may be enjoined civilly or administratively. In addition, it is unlawful and a misdemeanor to maintain a public nuisance.

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City authorizing the Mayor to execute two separate Real Property License Agreements with San Diego Gas & Electric Company (SDG&E) for the installation of eight Electric Vehicle Charging Stations, asso

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: March 20, 2018

AGENDA ITEM NO.

ITEM TITLE:

Resolution of the City Council of the City of National City authorizing the Mayor to execute two separate Real Property License Agreements with San Diego Gas & Electric Company (SDG&E) for the installation of eight Electric Vehicle Charging Stations, associated equipment and infrastructure at City Hall (located at 1243 National City Boulevard) and four Electric Vehicle Charging Stations, associated equipment and infrastructure at Public Works Yard (located at 1726 Wilson Avenue) for use by City employees as part of SDG&E's "Power Your Drive" Program.

PREPARED BY: Stephen Manganiello

PHONE: 619-336-4382

DEPARTMENT: Engineering/Public Works

APPROVED BY: 

EXPLANATION:

San Diego Gas & Electric Company (SDG&E) has approved the City of National City's application for installation of eight Electric Vehicle Charging Stations, associated equipment and infrastructure at City Hall (located at 1243 National City Boulevard) and four Electric Vehicle Charging Stations, associated equipment and infrastructure at Public Works Yard (located at 1726 Wilson Avenue) for use by City employees as part of SDG&E's "Power Your Drive" Program. SDG&E will install the Electric Vehicle Charging Stations, associated equipment and infrastructure at no cost to the City; however, the City will be responsible for electricity costs associated with Electric Vehicle charging activities. This project directly supports National City's Strategic Plan, General Plan and Climate Action Plan goals of pursuing green initiatives and building a sustainable city.

FINANCIAL STATEMENT:

APPROVED: _____ **Finance**

ACCOUNT NO.

APPROVED: _____ **MIS**

SDG&E will install Electric Vehicle Charging Stations, associated equipment and infrastructure at no cost to the City; City is responsible for electricity costs associated with EV charging activities.

ENVIRONMENTAL REVIEW:

N/A

ORDINANCE: INTRODUCTION: ☐ FINAL ADOPTION: ☐

STAFF RECOMMENDATION:

Adopt Resolution authorizing the Mayor to execute two separate Real Property License Agreements with SDG&E for the installation of Electric Vehicle Charging Stations at City Hall and Public Works Yard.

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

1. Preliminary Design Exhibits
2. Real Property License Agreements
3. Resolution



Site Design Layout
For
**City of National City
City Hall**

WP170006
1243 National City Blvd., National City, CA 91950

Prepared for:

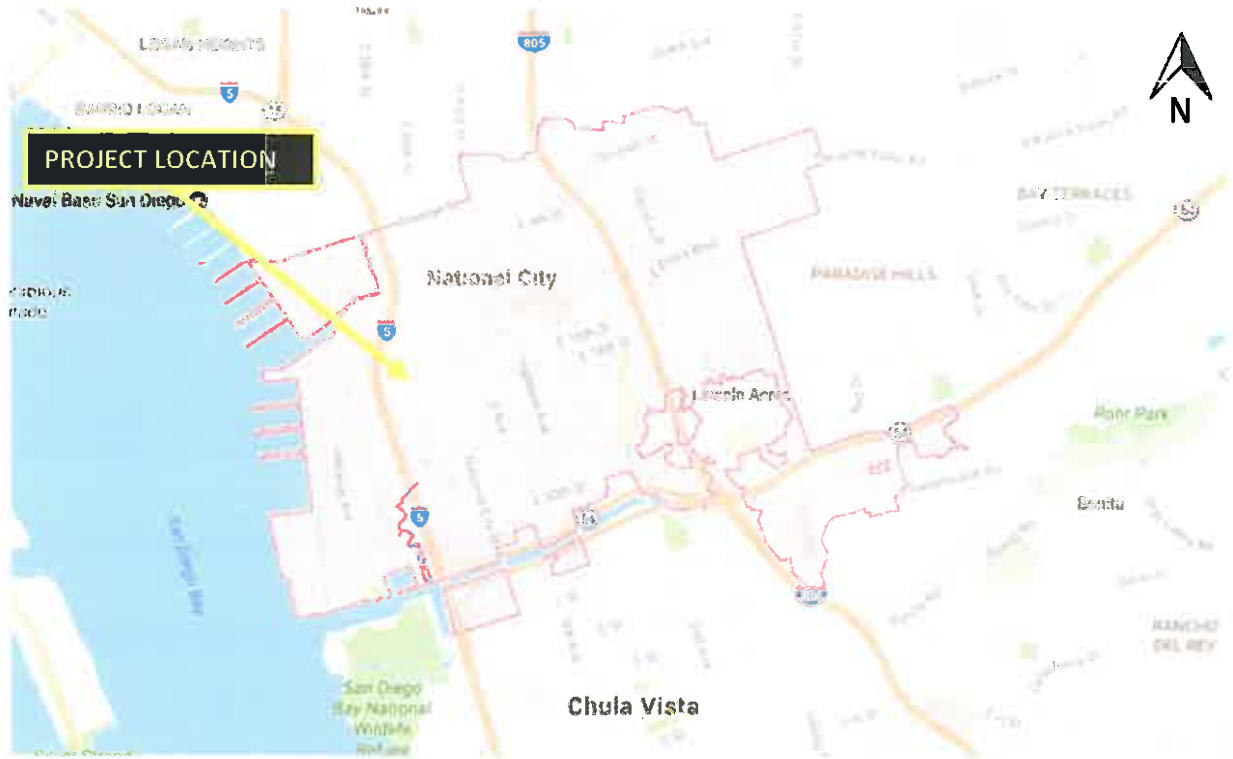


Prepared by:



November 7, 2017

Vicinity Map



Location Map



Site Map



LEGEND: for Preliminary Design Layouts

	# of New Standard EV Stalls		New Transf. / Meter
	# of New ADA EV Stalls		New Single/Dual EVCS
	Existing Path of Travel		New Trench Line
			New ADA Path/Loading

Design Summary:

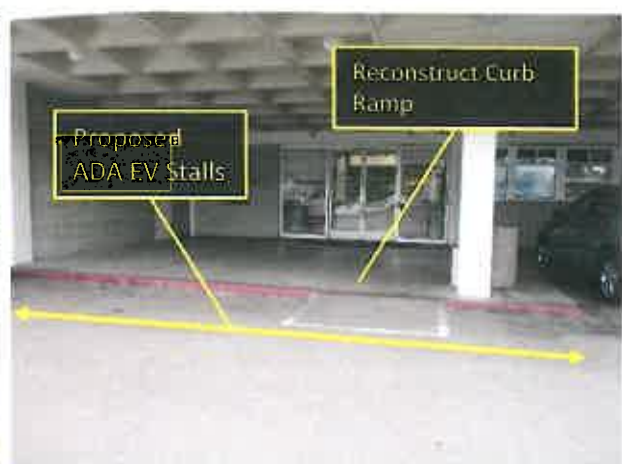
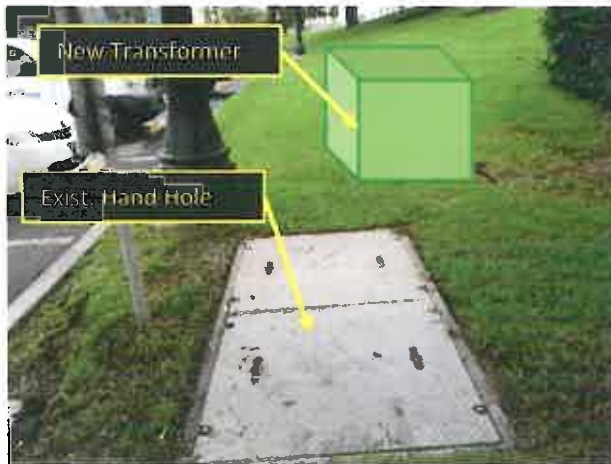
8 New EV Stalls (1 ADA Van + 1 ADA Std+ 6 Std)
 0 Stalls Lost
 5 New EV Chargers:
 • Bollard Type SINGLE = 2, DUAL = 3
 • Wall Mount SINGLE = 0, DUAL = 0
 1 New 200 Amp Meter
 1 New 150KVA, 208Y/120 Transformer
 270' +/- Trenching

Site Design Layout



TOTAL SPACES LOST = 0

Site Photos





Site Design Layout
For
**City of National City
Public Works Yard**

WP170007
1726 Wilson Ave, National City, CA 91950

Prepared for:



Prepared by:



September 21, 2017
December 11, 2107

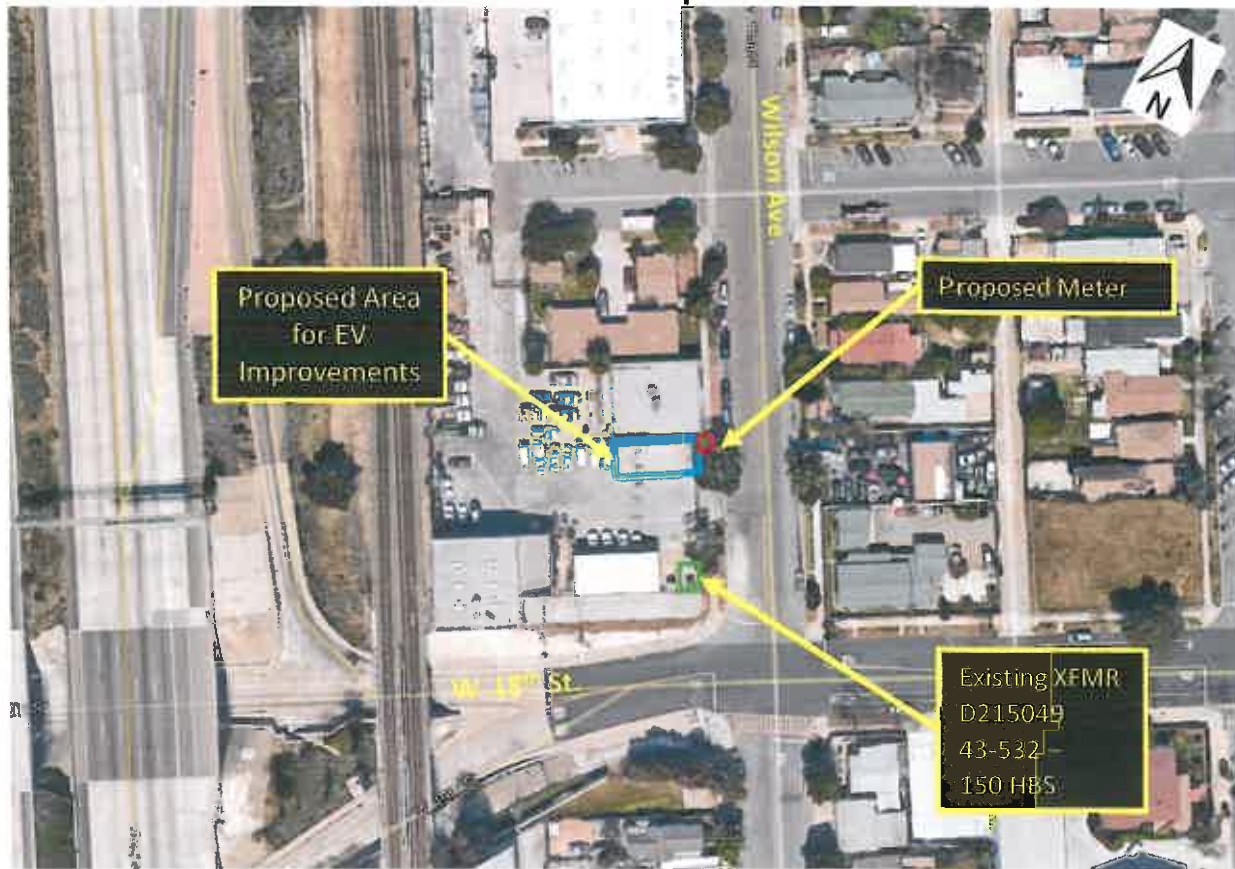
Vicinity Map



Location Map



Site Map



LEGEND: for Site Design Layouts

	# of New Standard EV Stalls		New Transf. / Meter
	# of New ADA EV Stalls		New Single/Dual EVCS
	Existing Path of Travel		New Trench Line
			New ADA Path/Loading

Design Summary:

4 New EV Stalls (0 ADA + 4 Std)
 0 Stalls Lost
 2 New EV Chargers:
 • Bollard Type SINGLE = 0, DUAL = 0
 • Wall Mount SINGLE = 0, DUAL = 2
 1 New 200 Amp Wall Mounted Meter
 0 New 150KVA, 208Y/120 Transformer
 100' +/- Trenching

Site Design Layout



NOTE: This is a FLEET application. No ADA Stalls required.

Site Photos



REAL PROPERTY LICENSE AGREEMENT

THIS REAL PROPERTY LICENSE AGREEMENT (this “**License**”), made and entered into as of _____, 2018 (the “**Effective Date**”), by and between CITY OF NATIONAL CITY, a municipal corporation, hereinafter called “**Licensor**” and SAN DIEGO GAS & ELECTRIC COMPANY, a California corporation, hereinafter called “**Licensee**.”

This License is entered into pursuant to the online SDG&E’s *Power Your Drive* Program Site Host Participation Application (the “**Application**”). Except as may be defined herein, capitalized terms used in this License shall have the meanings assigned to them in the Application.

Licensor hereby grants to Licensee a license to erect, construct, change the size of, improve, reconstruct, relocate, repair, maintain, and use the following facilities (“**Facilities**”) on the Premises (as described below):

1. Underground facilities, together with aboveground structures consisting of, but not limited to, pad-mounted electrical equipment, and eight (8) electric vehicle charging stations (“**EV Stations**”), and all appurtenances for the distribution of electricity to the Facilities.
2. Communication facilities, and appurtenances, which can include, Supervisory Control and Data Acquisition (SCADA).

The Facilities will be installed within the Premises as Licensee may now or hereafter deem convenient or necessary. Licensee also has the right of ingress and egress, to, from and along the Premises in, upon, over and across the Property (as defined below). Licensee further has the right, but not the duty to clear and keep this Premises clear from explosives, buildings, structures and materials.

The Premises are located on the “**Property**” in the County of San Diego, State of California described as follows:

Lots 5 and 6 in Quarter Section 154 of Rancho De La Nacion, according to Map thereof No. 166, filed in the Office of the County Recorder of said County of San Diego.
(APN 560-100-03)

The “**Premises**” shall be those strips of land, including all of the area lying between the exterior sidelines, which sidelines shall be three (3) feet, measured at right angles, on each exterior side of all Facilities installed on the Property on or before **December 31, 2018**.

Upon the installation of Licensee’s Facilities, Licensor may survey the location of the Facilities as an “**as-built**” drawing(s) and prepare a metes and bounds or “**center line**” description(s) of the actual location of said Facilities, at its sole cost and expense. Licensee shall then prepare an “**Amendment to License**”, using Licensor’s “**as-built**” drawing(s) and metes and bounds description(s) as a substitute and replacement to the “**blanket**” description contained in the paragraph above.

In order to provide adequate working space for Licensee, Licensors shall not erect, place or construct, nor permit to be erected, placed or constructed any building or other structure, deposit any materials, plant any trees and/or shrubs or change ground elevation within eight (8) feet of the front of the door or hinged opening of any above ground Facilities (other than the EV Station) and within three (3) feet of the EV Station installed on the Premises.

Licensors shall provide at all times, a delineated parking space surrounding each EV Station, so that each EV Station may be accessed and used by an electric vehicle for charging. One (1) space shall be marked for electric vehicles only; and shall be used only while such vehicles are being charged. The remaining seven (7) shall be marked for electric vehicles only, however, such vehicles do not have to be actively charging.

Licensors grants to Licensee the right to erect and maintain on the Property adjacent to the Facilities, retaining walls and/or protective barricades as may be necessary for Licensee's purposes.

Licensors shall not erect, place or construct, nor permit to be erected, placed or constructed, any building or other structure, plant any tree, drill or dig, on the Premises.

Licensors shall not increase or decrease the ground surface elevations on the Premises after installation of Licensee's Facilities, without prior written consent of Licensee.

Licensee shall have the right but not the duty, to trim or remove trees and brush along or adjacent to the Premises and remove roots from within the Premises whenever Licensee deems it necessary. Said right shall not relieve Licensors of the duty as owner to trim or remove trees and brush to prevent danger or hazard to property or persons.

Licensee shall indemnify, defend, and hold Licensors harmless from and against all losses, damages, or expenses that Licensors may sustain or become liable for that result from the construction or maintenance by Licensee of its Facilities within the Premises. Such indemnification shall include any losses, damages, or expenses arising solely out of negligence or intentional acts of Licensee but excepting any losses, damages, or expenses resulting from the negligent or intentional acts of the Licensors and third parties

CONDUITS CARRY HIGH VOLTAGE ELECTRICAL CONDUCTORS, therefore Licensors shall not make or allow any excavation or fill to be made on the Premises WITHOUT FIRST NOTIFYING SAN DIEGO GAS & ELECTRIC COMPANY BY CALLING (619) 696-2000, and OBTAINING PERMISSION.

This License shall be governed by the laws of the State of California. The exclusive venue for any litigation arising from or relating to this License shall be in San Diego County, California. This License shall be binding upon and inure to the benefit of successors, heirs, executors, administrators, permittees, licensees, agents or assigns of Licensors and Licensee.

The term of this License shall commence upon the date of execution and if not mutually renewed by both parties, shall have a term of 10 years ("Term"). This License shall remain in full force and effect for the duration of the Agreement and beyond; and may not be revoked or



terminated without express written mutual consent subject to the terms and conditions for termination set forth therein. Upon termination of this License after the expiration of the 10 year term, Licensee shall pay all costs and expenses to remove the Facilities and Licensee shall restore the Premises to the condition it was at the time of installation of the Facilities. If Licensor terminates this License prior to the end of the Term, Licensor shall pay to Licensee the full cost and sole expense of such removal, which shall include the depreciated cost of the Facilities, including site design and engineering, installation and EV Station costs.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date and year first above written.

CITY OF NATIONAL CITY

**SAN DIEGO GAS & ELECTRIC
COMPANY, a California corporation**

(Signatures of two corporate officers required)

By: _____
Ron Morrison, Mayor

By: _____
[Name], [Title]

APPROVED AS TO FORM:

Angil P. Morris-Jones
City Attorney

By: _____
[Name], [Title]

By: _____
Roberto M. Contreras
Deputy City Attorney

Drawn: BCorbilla
Checked: _____
Date: 01/10/2018 (REV) 03/06/2018
Site No: WP170006
Site Name: City of National City – City Hall
RW 369044



Melissa C. Schoening
Insurance & Risk Advisory Analyst

Sempra Energy
Insurance & Risk Advisory
488 8th Avenue, HQ06
San Diego, CA 92101-3017
insurance@sempra.com

March 7, 2018

City of National City
Attn: Risk Manager
1243 National City Blvd.
National City, CA 91950-43001

Re: Proof of Self-Insurance

To Whom It May Concern:

Please accept this letter as compliance with your request for evidence of self-insurance in accordance with the terms of the above-referenced agreement, as dictated under the terms of the agreement, between San Diego Gas & Electric Company ("***SDG&E***") and requestor. SDG&E hereby acknowledges that it is permissibly self-insured by the State of California and that the following programs are in full force and effect:

Type of Insurance	Type of Policy	Policy Period
Commercial General Liability	Self-Insured	Continuous
Automobile Liability	Self-Insured	Continuous
Workers' Compensation	Self-Insured	Continuous

Any claims resulting from our operations may be referred to:

San Diego Gas & Electric Company
Attention: Carl Villarreal, Claims Liability Management Manager
8315 Century Park Court
San Diego, CA 92123

Should you have any questions or require additional coverage information, please feel free to contact me.

By its duly authorized representative,

Melissa C. Schoening

Melissa C. Schoening
Insurance & Risk Advisory Analyst

cc: L. Rios

The following page(s) contain the backup material for Agenda Item: Resolution of the City Council of the City of National City approving an amendment to the Fiscal Year 2018 salary schedule for the Executive employee group to reflect the City Manager's salary adjustment to \$18,656 per month, effective January 27, 2018 in

CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

MEETING DATE: March 20, 2018

AGENDA ITEM NO. |

ITEM TITLE:

Resolution of the City Council of the City of National City approving an amendment to the Fiscal Year 2018 salary schedule for the Executive employee group to reflect the City Manager's salary adjustment to \$18,656 per month, effective January 27, 2018 in accordance with the terms of her City Council approved employment contract as adopted on September 1, 2015.

PREPARED BY: Stacey Stevenson

DEPARTMENT: Human Resources

PHONE: 336-4308

APPROVED BY:



EXPLANATION:

On September 1, 2015, the City Council of the City of National City approved an amended and restated employment agreement between the City and the incumbent City Manager. The contract as amended, authorized a salary increase from \$17,496 per month to \$18,656 per month (\$223,872, annually) effective January 27, 2018. The purpose of this item is to seek City Council approval of an amended Executive employee group salary schedule for Fiscal Year 2018 reflecting the change in salary for the City Manager. The approval of the amended salary schedule is sought in compliance with current guidelines issued by the California Public Employees Retirement System (CalPERS).

FINANCIAL STATEMENT:

APPROVED:  **Finance**

ACCOUNT NO. |

APPROVED: _____ **MIS**

Funds were budgeted in 001-403-000-101-0000

ENVIRONMENTAL REVIEW:

This is not a project and is therefore not subject to environmental review.

ORDINANCE: **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

STAFF RECOMMENDATION:

Adopt the resolution approving the amended Fiscal Year 2018 compensation plan for the Executive employee group.

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

Executive Employee Group Salary Schedule
Resolution

City of National City
Human Resources Department

EXECUTIVE POSITIONS
January 27, 2018

POSITION TITLE	SALARY BAND (MONTHLY)	SALARY BAND (ANNUAL)
City Manager	\$18,656 (Actual Salary)	\$223,872
City Attorney	\$16,666.67 (Actual Salary)	\$200,000
Assistant City Manager ¹	\$ 6,249.76 – \$ 16,041.67	\$ 74,997.12 – \$ 192,500.00
Assistant Police Chief	\$ 11,368.50 – \$ 15,000.00	\$ 136,422.00 – \$ 180,000.00
City Librarian	\$ 5,363.60 – \$ 11,472.86	\$ 64,363.20 – \$ 137,674.32
Community Development Executive Director ¹	\$ 7,288.00 – \$ 13,657.88	\$ 87,456.00 – \$ 163,894.56
Community Services Director	\$ 7,287.50 – \$ 10,687.91	\$ 87,450.00 – \$ 128,254.92
Deputy City Manager	\$ 6,249.76 – \$ 15,250.00	\$ 74,997.12 – \$ 183,000.00
Director of Administrative Services	\$ 5,643.44 – \$ 13,087.65	\$ 67,721.28 – \$ 157,051.80
Director of Building & Safety	\$ 5,561.82 – \$ 10,731.49	\$ 66,741.84 – \$ 128,777.88
Director of Community Development	\$ 5,643.44 – \$ 12,669.53	\$ 67,721.28 – \$ 152,034.36
Director of Emergency Services ²	\$ 5,946.60 – \$ 13,250.55	\$ 71,359.20 – \$ 159,006.60
Director of Finance	\$ 5,643.44 – \$ 12,480.99	\$ 67,721.28 – \$ 149,771.88
Director of Housing & Economic Development	\$ 5,363.60 – \$ 11,472.86	\$ 64,363.20 – \$ 137,674.32
Director of Neighborhood Services	\$ 5,363.60 – \$ 11,472.86	\$ 64,363.20 – \$ 137,674.32
Director of Planning	\$ 5,643.44 – \$ 13,087.65	\$ 67,721.28 – \$ 157,051.80
Director of Public Works	\$ 5,643.44 – \$ 12,669.53	\$ 67,721.28 – \$ 152,034.36
Director of Public Works/City Engineer	\$ 5,643.44 – \$ 12,669.53	\$ 67,721.28 – \$ 152,034.36
Fire Chief	\$ 5,946.60 – \$ 13,250.55	\$ 71,359.20 – \$ 159,006.60
Human Resources Director	\$ 4,862.22 – \$ 12,501.50	\$ 58,346.64 – \$ 150,018.00
Police Chief ³	\$ 6,541.26 – \$ 16,500.00	\$ 78,495.12 – \$ 198,000.00
Records Management Officer	\$ 5,462.71 – \$ 8,609.78	\$ 65,552.52 – \$ 103,317.36
Senior Assistant City Attorney	\$ 7,433.25 – \$ 13,575.03	\$ 89,199.00 – \$ 162,900.36

Effective 01/27/18, Adjusted Salary of City Manager (per Resolution 2015-128, Employment Agreement)

Auto Allowance: \$300/month, w/exception of Police & Fire Chief who are assigned a City Vehicle, and City Manager & City Attorney. The Assistant City Manager receives \$400/month.

¹ *If residing in National City, the Asst City Manager & CDC Executive Director receive a Housing Differential of \$15,000 per year (per Resolution 2009-100)*

² *Director of Emergency Services receives \$650 Uniform Allowance annually (per memo dated 08/02/12)*

³ *Police Chief receives a 2% Bilingual Pay Differential & \$750 Uniform Allowance (per employment agreement of 03/22/13)*

The following page(s) contain the backup material for Agenda Item: Notice of Decision – Planning Commission approval of a Conditional Use Permit and Coastal Development Permit for a gas station and convenience store with beer and wine sales to be located at 724 Civic Center Drive in the Coastal Zone. (Applicant: Stosh Po

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: | March 20, 2018 |

AGENDA ITEM NO. |

ITEM TITLE:

Notice of Decision – Planning Commission approval of a Conditional Use Permit and Coastal Development Permit for a gas station and convenience store with beer and wine sales to be located at 724 Civic Center Drive in the Coastal Zone. (Applicant: Stosh Podeswik) (Case File 2017-03 CUP, CDP)

PREPARED BY: | Martin Reeder, AICP | 

DEPARTMENT: | Planning | 

PHONE: | 619-336-4313 |

APPROVED BY: _____

EXPLANATION:

The project applicant has applied for a Conditional Use Permit (CUP) and Coastal Development Permit (CDP) to construct a gas station and convenience store. The project site is an existing 25,466 square-foot gas station property, most recently operated as a metal recycling center, located at 724 Civic Center Drive. The new gas station would have eight fueling stations. The convenience store proposes to sell beer and wine for off-site consumption as well as other grocery items typically sold in convenience stores.

The Planning Commission conducted a public hearing on March 5, 2018 on the project. The Commissioners asked questions regarding facility design, conditions of approval, and the future Bayshore Bikeway in this location. The Commission voted to recommend approval of the proposal, with modified alcohol sales hours of 8 a.m. to 12 midnight daily, based on attached findings and Conditions of Approval.

The attached Planning Commission staff report describes the proposal in detail.

FINANCIAL STATEMENT:

APPROVED: _____ Finance

ACCOUNT NO. |

APPROVED: _____ MIS

ENVIRONMENTAL REVIEW:

Categorical Exemption – Class 32, Section 15332 (In-Fill Development Projects)

ORDINANCE: | **INTRODUCTION:** ☐ | **FINAL ADOPTION:** ☐ |

STAFF RECOMMENDATION:

Staff concurs with the decision of the Planning Commission and recommends that the Notice of Decision be filed.

BOARD / COMMISSION RECOMMENDATION:

The Planning Commission recommended approval of the Conditional Use Permit and Coastal Development Permit.

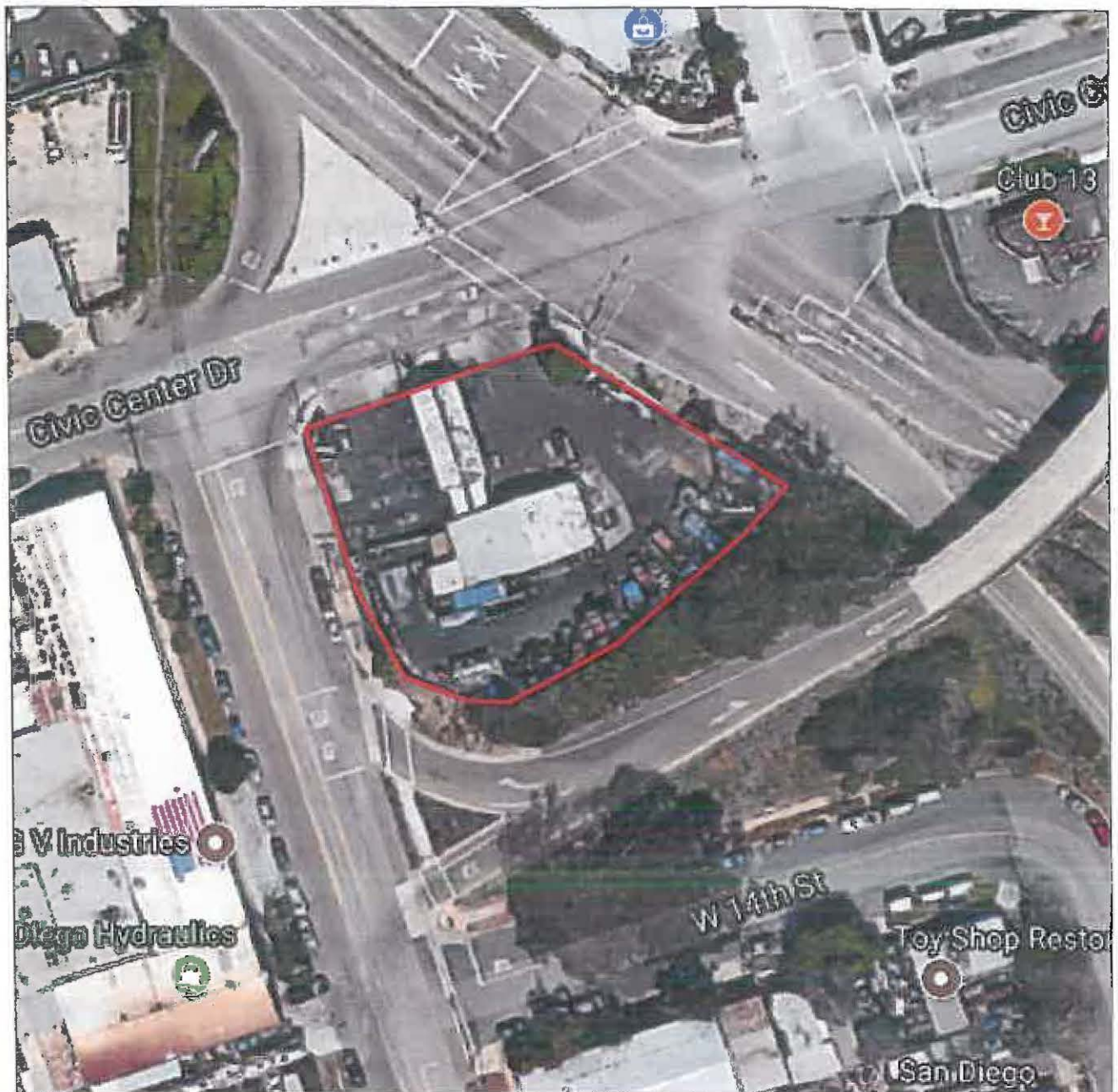
Ayes: DelaPaz, Flores, Garcia, Sendt, Quintero, Yamane

Absent: Baca

ATTACHMENTS:

- | | |
|-------------------------------------|-------------------------------|
| 1. Overhead | 3. Resolution No. 2018-03 (a) |
| 2. Planning Commission Staff Report | 4. Reduced Plans |

2017-03 CUP, CDP -- 724 Civic Center Drive -- Overhead





Item no.

3

March 5, 2018

CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: CONTINUED PUBLIC HEARING – CONDITIONAL USE PERMIT AND COASTAL DEVELOPMENT PERMIT FOR A GAS STATION AND CONVENIENCE STORE TO BE LOCATED AT 724 CIVIC CENTER DRIVE IN THE COASTAL ZONE.

Case File No.: 2017-03 CUP, CDP

Location: Southwest corner of Civic Center Drive and Harbor Drive

Assessor's Parcel No.: 559-024-06

Staff report by: Martin Reeder, AICP

Applicant: Stosh Podeswik

Property owner: Golden Sunrise Properties LLC

Combined General Plan/
Zoning designation: MM-CZ (Medium Manufacturing – Coastal Zone)

Adjacent land use/zoning:

North: Harbor Drive & Civic Center Drive interchange / MM-CZ

East: Interstate 5 freeway / OS-CZ (Open Space – Coastal Zone)

South: Interstate 5 off-ramp with industrial beyond / MM-CZ

West: Industrial use across Cleveland Avenue / MM- CZ

Environmental review: Categorical Exemption – Class 32, Section 15332 (In-Fill Development Projects)

Staff Recommendation: Approve

Staff Recommendation

Staff recommends approval of the Conditional Use Permit (CUP) and Coastal Development Permit (CDP) for the gas station and convenience store. Staff recommends hours of alcohol sales that are consistent with recent similar approvals. The property has languished and remained vacant for several years. Redevelopment of the property would be a benefit to the surrounding area.

BACKGROUND

Executive Summary

The project applicant has applied for a CUP and CDP to construct a gas station and convenience store. The project site is an existing 25,466 square-foot gas station property, most recently operated as a metal recycling center, located at 724 Civic Center Drive. The new gas station would have eight fueling stations. The convenience store proposes to sell beer and wine for off-site consumption as well as other grocery items typically sold in convenience stores.

History

This project was originally scheduled for a hearing at the Planning Commission meeting of October 16, 2017. After the posting of the public notice for the item, the applicant requested changes to the application that required additional analysis. In addition, the required community meeting was yet to be held. Staff recommended at that time that the item be continued in order to process the additional information and for the community meeting to occur. The Planning Commission continued the item to a future meeting.

Site Characteristics

The project site is at the southwest corner of Civic Center Drive and Harbor Drive in the Coastal Zone. The property is generally an island surrounded by roadways. It is at the junction of Harbor Drive and the southbound Interstate 5 on-ramp. The last use of the property was A-1 Alloys Recycling Center. The business is now closed.

The lot is shown on the current zoning map as being in the Medium Industrial (IM) zone, and also within the Coastal Zone (CZ). The most recent Land Use Code Update is not active in the Coastal Zone. This is due to the fact that the necessary changes in the City's Local Coastal Plan have not been completed. Therefore, the City's previous

zoning would generally apply. In this case the zone would have been MM-CZ (Medium Manufacturing – Coastal Zone) – essentially the same zone.

Proposed Use

The applicant is proposing to demolish the existing building and construct a new gas station and a 2,400 square-foot convenience store, including 22 doors of refrigerated product. The site plan for the 25,466 square-foot property shows fifteen parking spaces and four double-sided fuel pumps. The proposal includes the sale of beer and wine, as well other grocery items, which will be displayed in seven of the 22 coolers. The applicant is requesting alcohol sales between the hours of 6:00 a.m. and 2:00 a.m., the maximum permitted by the State.

Analysis

General Plan

The project proposal is located in the Medium Manufacturing (MM) zone, which is designated within the larger industrial district west of Interstate 5. The MM zone establishes intermediate industrial uses in areas in which production and processing activities involve some degree of noise, vibration, air pollution, radiation, glare phenomena, and fire and explosive hazards. The proposed gas station and convenience store are consistent with this definition (provided by the previous General Plan).

Land Use Code (LUC)

Under the applicable LUC section, both the gas station and sale of nonautomotive products in excess of 216 cubic feet require issuance of a CUP. In addition, the sale of alcohol also requires a CUP.

Chapter 18.98 (Service Stations) includes design guidelines and site development standards for new gas stations. These standards include minimum lot size (15,000 square feet), minimum landscape amount (5% of the lot), and building design and materials, which are discussed below. The proposal is consistent with all requirements of Chapter 18.98.

Architecture

The proposed architectural style of the convenience store building is modern in nature and features smooth stucco with expansion joints and decorative coving along the

roofline. Colors shown on plans are generally light in nature (e.g. white, off white, cream). There is no established architectural style in the surrounding neighborhood; nearby buildings are generally metal industrial buildings in varying stages of maintenance. In addition, the lot is separated from all other properties by the surrounding roadways.

In addition to the convenience store building, an awning is proposed that would cover the eight gas pumps. The awning would be approximately the same size as the convenience store building, albeit square rather than rectangular. The colors would be the same as the store.

Coastal Zone

The project area is not within an area of retained Coastal Commission permit jurisdiction or in an area of appeal jurisdiction. The project site is generally in an area that is exempt from Coastal Permit requirements (area zoned medium manufacturing north of 24th Street). However, the requirement for a discretionary permit (CUP) triggers the need for a CDP. As part of this discretionary review, the Planning Commission must find that granting of a CDP is consistent with and implements the Certified Local Coastal Program. The project is compliant with this finding in that it involves a service use, which is conditionally allowed in the MM-CZ zone, and will not prohibit coastal access or obstruct views.

Traffic and circulation

According to traffic generation rates published by SANDAG (San Diego Association of Governments) a gas station with eight fuel pumps would generate approximately 1,280 average daily trips (ADT). The property is at the junction of Harbor Drive, an arterial street; Civic Center Drive, a collector street; and Interstate 5, a freeway. Based on the City's General Plan, Civic Center Drive east of the project (Harbor Drive to Wilson Avenue) is currently operating below capacity and at a Level of Service of C (A being the highest).

The applicant provided a Traffic Impact Analysis (TIA), which found that there would be no calculated traffic impacts; therefore, mitigation measures are not required. The total new and diverted trips would equate to 922 ADT, less than the estimated 1,280 ADT quoted by SANDAG. This is due to 358 trips being pass by trips (those already driving past the site).

Parking

There is no specific parking requirement for a gas station in the LUC. However, a convenience store would need a ratio of one parking space for every 250 square feet of floor area. A store that is 2,400 square feet in size requires 10 parking spaces, which are provided. The site plan shows 15 parking spaces, most of which do not meet the minimum dimension of nine feet wide by 18 feet deep. A condition has been included to ensure that all provided parking spaces meet the minimum dimensions specified in the LUC. This would likely reduce the total number to less than 15. However, there is enough room for the minimum of ten spaces.

Bicycle Access

The site is adjacent to a probable future portion of the Bayshore Bikeway, which is intended to connect southbound Harbor Drive to McKinley Avenue south of the project site. The bike path segment would pass along the eastern property line of the site and under the southbound off-ramp from Interstate 5 to Civic Center Drive. The bikeway will be predominantly within the Caltrans right-of-way adjacent to the property. However, it is likely that the path will cross through the northwest portion of the property. In that case this area will be needed for construction of the bike path and would ultimately be reserved through easement. The easement area would potentially conflict with some of the proposed parking spaces. Because the site plan provides more than the required number of spaces, the loss due to the bike path will not be an issue. The spaces would ultimately need to be removed or relocated once the bike path is constructed. The developer is aware of the potential path and has agreed to provide room for it.

While the exact alignment of the bikeway is not known at this time, it would be prudent to assume that the two uses will be in close proximity. In order to compliment the bikeway, staff suggests that the gas station property include a future bicycle amenity to accommodate passing cyclists, such as bicycle parking. The LUC requires a minimum of one bicycle space per 20 parking spaces for a retail use. A Condition of Approval has been included to include this amenity.

California Environmental Quality Act (CEQA)

Impacts related to gas stations usually focus on traffic, hazardous materials, and air quality. In the case of this project, the property has historically been a gas station, although more recent use was not related to gasoline sales, but rather metal recycling. Because of the previous uses, only traffic was analyzed. The applicant provided a TIA, which found that there would be no calculated traffic impacts; therefore, the project is

considered categorically exempt from CEQA under Class 32, Section 15332 (In-Fill Development Projects).

Beer and wine sales

Section 18.30.050 of the LUC allows for on-site alcohol sales with an approved CUP. Additional requirements for alcohol CUPs include expanded notification, a community meeting, and distance requirements. The convenience store would be open 24 hours a day. The proposed hours of alcohol sales are 6:00 a.m. to 2:00 a.m., which is the maximum allowed by the California Department of Alcoholic Beverage Control (ABC). For reference, the most recent gas station and convenience store CUP that included the sale of alcohol (Shell at 8th & Palm) had alcohol sales hours of 8:00 a.m. to midnight. Staff recommends alcohol sales that are more consistent with recent approvals. A condition is included to require that coolers with alcohol be locked outside of approved sales hours.

Mailing – All property owners and occupants within a distance of 660 feet are required to be notified of a public hearing for alcohol-related CUP applications. Notice of this public hearing was sent to 79 people, 47 occupants, and 32 owners.

Community Meeting – The applicant for a CUP involving the sale of alcohol is required to hold a community meeting pursuant to Section 18.30.050 (C) of the LUC. Such a meeting was held Friday, January 26, 2018 at 3:30 p.m. at the subject location. The meeting advertisement is attached. There were three community members in attendance. Comments involved traffic concerns, the preference of a park instead of a gas station, and concerns over panhandlers, which were prevalent during operation of the previous recycling property at this location. The applicant responded to the questions, citing the traffic study conducted as part of the project, the busy location being inappropriate for a park, and describing business operations.

Distance Requirements – Chapter 18.030.050 (D) requires a 660-foot distance from sensitive uses such as schools; however, there are no schools nearby. The nearest school is Kimball Elementary School, which is approximately a third of a mile away on the other side of Interstate 5.

Alcohol Sales Concentration/Location – Per ABC, there are currently five off-sale permits issued in the subject census tract (219). Two of the other off-sale licenses are gas stations, and the other three are markets. These permits are:

Name	Address	License Type*
Arco Gas Station	133 W 8 th St	20
Valero Gas Station	10 Osborne St	20
One Ten Liquor & Market	110 National City Blvd	21
Big B Market	1540 Coolidge Ave	20
Cozine's Grocery	402 Civic Center Dr	21

- * Type 20 - Off-Sale Beer and Wine
Type 21 - Off-Sale General

Census tract 219 is comprised of the whole west side of the City from National City Blvd. to San Diego Bay. The attached census tract map shows the location of the subject tract. ABC recommends that a total of four off-sale alcohol permits be issued in this census tract, where five exist. Although the census tract is over-concentrated, the licenses are spread out over a large geographic area.

Police Department (PD)

Consistent with recent policy, PD provided a Risk Assessment report on the property. The assessment assigns points based on the type of business, license concentration, and calls for service (among others) and ranks the business according to potential risk (low, medium, or high). In this case, the property received 13 points, which would indicate a medium risk (13-18 points). The Risk Assessment is attached.

Institute for Public Strategies (IPS)

As of the writing of this report, no comments have been received from IPS. However, based on recent comments provided for alcohol CUPs, IPS typically recommends that owners, management, and staff be required to attend Responsible Beverage Sales and Service (RBSS) training. This requirement is a standard condition of City Council Policy 707 and is included as a condition of approval.

Findings for Approval

The Municipal Code pertaining to the Coastal Zone contains required findings for CUPs. There are four required findings, five when the project also involves a CDP:

1. That the site for the proposed use is adequate in size and shape.

The 25,466 square-foot property is in excess of the 15,000 square feet required by Section 18.98 of the Municipal Code. Additionally, all buildings and parking spaces can be installed to meet all setback and site design requirements.

2. That the site has sufficient access to streets and highways that are adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use.

The site has direct access to Harbor Drive, an arterial street; Civic Center Drive, a collector street; and Interstate 5, a freeway, which can accommodate the additional 1,280 ADT that would be generated by the project. The TIA submitted with this application has shown that the existing street network can function at a Level of Service (LOS) of D or better without the need for mitigation.

3. That the proposed use will not have an adverse effect upon adjacent or abutting properties.

The project is a use consistent with the MM zone description in the General Plan and will be subject to conditions of approval that ensure safe operation of the business.

4. That the proposed use is deemed essential and desirable to the public convenience or welfare.

The project will provide a service in need for local and regional drivers requiring automobile refueling and associated services. The use is consistent with the MM zone description, which is intended for uses in areas in which activities involve some degree of noise, vibration, air pollution, radiation, glare phenomena, and/or fire and explosive hazards.

5. That the granting of this CUP is consistent with and implements the Certified Local Coastal Program.

This finding is addressed in the "Coastal Zone" section above.

There are two additional conditions of approval related to CEQA compliance and public convenience and necessity for the alcohol sales:

6. That the proposed project has been reviewed in compliance with the California Environmental Quality Act.

This finding is addressed in the "California Environmental Quality Act (CEQA)" section above.

7. That the proposed use is deemed essential and desirable to the public convenience and necessity.

Beer and wine sales will contribute to the viability of the gas station convenience store, an allowed use in the MM zone. Alcohol sales would also add to the convenience of the consumer, in that customers would be able to purchase alcohol at the same outlet that they are purchasing other products and would not need to visit multiple locations.

Findings for denial

There are also three findings for denial included with this application:

1. Granting the permit would constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located.

The census tract in which the subject property is located is currently over-concentrated with regard to off-sale alcohol outlets. Five off-sale outlets are permitted where four are recommended by the ABC. In addition, the area has a high crime rate.

2. That the proposed use is not deemed essential and desirable to the public convenience and necessity.

There are five other off-sale alcohol outlets located in the same census tract as the subject property where alcohol can be purchased, two of which are also gas stations.

3. That based on findings 1 and 2 above, public convenience and necessity will not be served by a proposed use of the property for the retail sales of alcoholic beverages pursuant to law.

Conditions of Approval

Comments were received from the Building, Engineering, and Fire departments, as well as Sweetwater Authority. Comments focused on Building and Fire Code requirements, stormwater compliance, drainage, street improvements, and permits. All comments are included as Conditions of Approval. Sweetwater Authority comments focused on fire flow and plan submittal.

Public Comment

An email was received on October 12, 2017 in response to the previous public hearing notice. The email expressed concerns related to traffic generated by the project. In December 2017, the Chamber of Commerce submitted a DVD provided by a Chamber member business. The DVD showed the traffic along Harbor Drive during rush hour. Concerns were raised about the project increasing the traffic to beyond prescribed limits. Traffic generation and potential impacts are discussed in the "Traffic and circulation" section of this report. To recap, no impacts are expected based on the traffic study submitted with the project.

Summary

A gas station and convenience store are conditionally-permitted uses in the MM zone. In addition, any discretionary review requires a CDP. The project meets all design guidelines and development standards of the LUC, and is consistent with the General Plan and Local Coastal Plan. The area in which the business would be located is removed from sensitive uses and has ample access to accommodate the proposed uses on site. As a result, the use is not expected to create any significant impacts. Alcohol sales are consistent with other commercial businesses in the census tract, including two gas stations. The business will be subject to standard conditions of approval along with those in Council policy 707 related to alcohol sales. The proposed use will be subject to conditions that limit the sale of alcohol and restrict the hours that it will be available.

OPTIONS

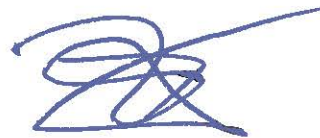
1. Approve 2017-03 CUP, CDP subject to the conditions listed below, based on attached findings or findings to be determined by the Planning Commission; or,
2. Deny 2017-03 CUP, CDP based on attached findings or findings to be determined by the Planning Commission; or,
3. Continue the item for further information

ATTACHMENTS

1. Recommended Findings
2. Recommended Conditions
3. Overhead
4. Applicant's Plans (Exhibits A and B, Case File No. 2017-03 CUP, CDP, dated 1/27/2018 and 2/27/2018)
5. Public comment and community meeting notice and minutes
6. PD comments
7. Census Tract and Police Beat maps
8. Public Hearing Notice (Sent to 79 property owners and occupants)
9. CEQA Notice of Exemption
10. Resolutions



MARTIN REEDER, AICP
Principal Planner



BRAD RAULSTON
Deputy City Manager

RECOMMENDED FINDINGS FOR APPROVAL
OF THE CONDITIONAL USE PERMIT
AND COASTAL DEVELOPMENT PERMIT

2017-03 CUP, CDP – 724 Civic Center Drive

1. That the site for the proposed use is adequate in size and shape, because the 25,466 square-foot property is in excess of the 15,000 square feet required by Section 18.98 of the Municipal Code. Additionally, all buildings and parking spaces can be installed to meet all setback and site design requirements.
2. That the site has sufficient access to streets and highways that are adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use, because the site has direct access to Harbor Drive, an arterial street; Civic Center Drive, a collector street; and Interstate 5, a freeway, which can accommodate the additional 1,280 ADT that would be generated by the project. The TIA submitted with this application has shown that the existing street network can function at an LOS of D or better without the need for mitigation.
3. That the proposed use will not have an adverse effect upon adjacent or abutting properties, because the project is a use consistent with the Medium Manufacturing (MM) zone description in the General Plan and will be subject to conditions of approval that ensure safe operation of the business
4. That the proposed use is deemed essential and desirable to the public convenience or welfare, because the project will provide a service in need for local and regional drivers requiring automobile refueling and associated services. The use is consistent with the MM zone description, which is intended for uses in areas in which activities involve some degree of noise, vibration, air pollution, radiation, glare phenomena, and/or fire and explosive hazards.
5. That the granting of this Conditional Use Permit is consistent with and implements the Certified Local Coastal Program, because the project is located within an area generally exempt from a Coastal Development Permit; involves a service use, which is conditionally allowed in the MM-CZ zone; and will not prohibit coastal access or obstruct views.
6. That the proposed project has been reviewed in compliance with the California Environmental Quality Act, because it has been determined that the proposed use

qualifies for a categorical exemption from CEQA under Class 32, Section 15332 (In-Fill Development Projects).

7. That the proposed use is deemed essential and desirable to the public convenience and necessity, because beer and wine sales will contribute to the viability of the gas station convenience store, an allowed use in the MM zone. Alcohol sales would add to the convenience of the consumer, in that customers would be able to purchase alcohol at the same outlet that they are purchasing other products and not needing to visit multiple locations for their needs.
8. That based on findings 1 through 7 above, public convenience and necessity will be served by a proposed use of the property for the retail sales of alcoholic beverages pursuant to law.

RECOMMENDED FINDINGS FOR DENIAL
OF THE CONDITIONAL USE PERMIT
AND COASTAL DEVELOPMENT PERMIT
2017-03 CUP, CDP – 724 Civic Center Drive

1. Granting the permit would constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the census tract in which the subject property is located is currently over-concentrated with regard to off-sale alcohol outlets – five off-sale outlets are permitted where four are recommended by the California Department of Alcoholic Beverage Control – and the area has a high crime rate.
2. That the proposed use is not deemed essential and desirable to the public convenience and necessity, because five other off-sale alcohol outlets are located in the same census tract as the subject property.
3. That based on findings 1 and 2 above, public convenience and necessity will not be served by a proposed use of the property for the retail sales of alcoholic beverages pursuant to law.

RECOMMENDED CONDITIONS OF APPROVAL

2017-03 CUP, CDP – 724 Civic Center Drive

General

1. This Conditional Use Permit and Coastal Development Permit authorize a gas station with a convenience store, including the sale of beer and wine. Except as required by conditions of approval, all plans submitted for permits associated with the project shall conform to Exhibits A and B, Case File No. 2017-03 CUP, CDP, dated 1/27/2018 and 2/27/2018.
2. Within four (4) days of approval, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. **Checks shall be made payable to the County Clerk** and submitted to the National City Planning Department.
3. This permit shall become null and void if not exercised within one year after adoption of the Resolution of approval unless extended according to procedures specified in the Land Use Code.
4. Before this *Conditional Use Permit and Coastal Development Permit* shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of this permit. **Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Conditional Use Permit and Coastal Development Permit*.** The applicant shall also submit evidence to the satisfaction of the City Manager or designee that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit and Coastal Development Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the City Manager or designee prior to recordation.

Building

5. Plans submitted for demolition or construction improvements must comply with the 2016 editions of the California Building, Electrical, Plumbing, Mechanical, and Fire Codes.

Engineering

6. A Hydrology study (100 year flood) is required for the new project. The study should consider the proposed project area to the closest municipal storm drain collection point. The study should consider the adequacy of the existing storm drain system to convey

any additional run off. All Hydrology study findings and recommendations are part of Engineering Department requirements.

7. The Priority Project Applicability checklist for the National Pollutant Discharge Elimination System (NPDES) is required to be completed and submitted to the Engineering Department. The checklist will be required when a project site is submitted for review of the City Departments. The checklist is available at the Engineering Department. If it is determined that the project is subject to the "Priority Project Permanent Storm Water BMP Requirements" and the City of National City Storm Water Best Management Practices of the Jurisdictional Urban Runoff Management Program (JURMP) approved Standard Urban Storm Water Mitigation Plan (SUSMP) documentation will be required prior to issuance of an applicable engineering permit. The SUSMP shall be prepared by a Registered Civil Engineer.
8. The Best Management Practices (BMPs) for the maintenance of the proposed construction shall be undertaken in accordance with the National Pollutant Discharge Elimination System (NPDES) regulations which may require a Storm Water Pollution Prevention Plan (SWPPP) for the project. An approved SWPPP will be required prior to issuing of a construction permit.
9. All surface run-off shall be treated with an approved Standard Urban Runoff Mitigation Plan (SUSMP) Best Management Practice (BMP) for all Priority SUSMP projects. No runoff will be permitted to flow over the sidewalk. Adjacent properties shall be protected from surface run-off resulting from this development.
10. The property owner, or its successors and assigns shall be responsible for the maintenance, repair, or reconstruction of all irrigation and landscaping improvements installed within the public right-of-way. Sprinkler heads shall be adjusted so as to prevent overspray upon the public sidewalk or the street. The proposed sprinkler heads shall be installed behind the sidewalk, and the irrigation mainline upon private property only, as required by the City. The property owner or, its successors or assigns, shall be remove and relocate all irrigation items from the public right-of-way at no cost to the City, and within a reasonable time frame upon a written notification by the City Engineer.
11. Metallic identification tape shall be placed between the bottom layer of the finished surface and the top of all irrigation lines in the public right-of-way.
12. A grading and drainage plan shall be submitted showing all of the proposed and existing on-site and off-site improvements. The plan shall be prepared in accordance with the City's standard requirements by a Registered Civil Engineer. All necessary measures for prevention of storm water pollution and hazardous material run-off to the public storm drain system from the proposed parking lot or development shall be implemented with the design of the grading. This shall include the provision of such devices as storm drain interceptors, clarifiers, or filters. Best Management Practices for the maintenance of the

parking lot, including sampling, monitoring, and cleaning of private catch basins and storm drains, shall be undertaken in accordance with the National Pollution Discharge Elimination System (NPDES) regulations. A private storm water treatment maintenance agreement shall be signed and recorded. A check list for preparation of the grading plan/drainage plan is available at the Engineering Department.

13. All existing and proposed curb inlet on property shall be provided with a "No Dumping" signage in accordance with the NPDES program.
14. A sewer permit will be required. The method of sewage collection and disposal shall be shown on the grading/drainage plan. Any new sewer lateral in the City right-of-way shall be 6-inch in size with a clean out. A sewer stamp "S" shall be provided on the curb to mark the location of the lateral.
15. Separate street and sewer plans, prepared by a Registered Civil Engineer, shall be submitted showing all of the existing and proposed improvements. The plans shall be in accordance with City requirements.
16. A soils engineering report shall be submitted for the Engineering Department's review, after Planning Commission approval. The report shall address the stability of all of the existing and proposed slopes on the property. It shall also address the adequacy of the building pads, the criteria for any new retaining wall design, the maximum allowable soil bearing pressure and the required pavement structural sections for the proposed streets, the parking areas, and the driveways. As a minimum, the parking lot pavement sections shall be 2 inch A.C. over 4 inch Class II aggregate base. The street pavement sections shall be in accordance with National City modified Standard Drawing G-34. All soils report findings and recommendations shall be part of the Engineering Department requirements.
17. The deteriorated portions of the existing street improvements along the property frontages shall be removed and replaced. Specifically all sidewalk and curb and gutter. Sidewalk shall be in accordance with San Diego Regional Standard Drawings (SDRSD) G-7, G-9, G-10 and G-11 curb and gutter shall be 8" and be in accordance with National City Modified SDRSD G-2.
18. The existing pedestrian ramp(s) at the following locations(s) shall be removed and replaced with standard ramp complying with the ADA requirements and the SDRSD G-29 (Type C) located on the southeasterly corner of Civic Center Drive and Cleveland Avenue.
19. All existing survey monuments, including any benchmark, within the boundaries of the project shall be shown on the plans. If disturbed, a licensed land surveyor or civil engineer shall restore them after completion of the work. A Corner Record shall be filed with the County of San Diego Recorder. A copy of the documents filed shall be given to the City of National City Engineering Department as soon as filed.

20. A permit shall be obtained from the Engineering Department for all improvement work within the public right-of-way, and any grading construction on private property.
21. Street improvements shall be in accordance with the City Standards. All missing street improvements shall be constructed. Abandoned driveway aprons shall be replaced with curb, gutter, and sidewalks.
22. A title report shall be submitted to the Engineering Department, after the Planning Commission approval, for review of all existing easements and the ownership at the property.
23. NO PARKING zone(s) (red curbing) shall be provided and/or replaced after new curb has been installed.
24. The existing non-operational abandoned pay telephone on Civic Center Drive adjacent to the westerly driveway shall be removed.
25. A cost estimate for all of the proposed grading, drainage, street improvements, landscaping and retaining wall work shall be submitted with the plans. A performance bond equal to the approved cost estimate shall be posted. Three percent (3%) of the estimated cost shall also be deposited with the City as an initial cost for plan checking and inspection services at the time the plans are submitted. The deposit is subject to adjustment according to actual worked hours and consultant services.
26. A hydromodification plan or a letter sealed and signed by the Engineer of Work explaining why the project is exempt from hydromodification requirements shall be submitted.
27. The owner/developer shall submit plans to Cal Trans for their review to ensure that any conflicts with State Right of Ways and Facilities are addressed.

Fire

28. Plans submitted for improvements must comply with the current editions of the California Fire Code (CFC), National Fire Protection Association (NFPA), and California Code of Regulations (CCR).
29. Fire apparatus access roads shall comply with the requirements of Section 5 CFC 2013 and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the building as measured by an approved route around the exterior of the building. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus.
30. The required width of emergency fire apparatus access roads shall not be obstructed in any manner, including parking of vehicles. All access roads shall be no less than 20 feet wide, no less than 14 feet high and shall have an all-weather road with the ability to support 75 thousand pounds or greater. Where a fire hydrant is located on a

fire apparatus road, the minimum road width shall be 26 feet. A 28 foot turning radius is required for Fire Department access through site. All Fire Department access roads shall be painted and signed to prevent parking in these required designated emergency areas

31. Grade of fire apparatus road shall be within the limits established (15% grade) by the fire code official based on fire department's apparatus.
32. The vapor recovery unit (Healy Tank) shall comply with Chapter 23 section 2306.7.9.1 – 2306.7.9.2.4 of the California Fire Code. Additionally, lot lines and proximity to surrounding properties where Healy Tanks are proposed, shall meet CFC, NFPA and all City Department requirements. Please contact the National City Fire Department on required protective enclosure for vapor tank.
33. Underground fuel tank removal and replacement will require permit and inspections from the National City Fire Department.
34. Emergency service access to the trash enclosure shall be maintained at all times for the life of project.
35. Exit signs shall be provided at all required exits. Exit signs shall be green in color per the National City Municipal Code.
36. All fire sprinkler and fire alarm plans shall be submitted directly to the National City Fire Department.
37. Soft drink CO2 dispensing systems require a permit and inspection per the California Fire Code Chapter 53 section 5307 – *Systems used in beverage dispensing applications*.
38. A 48-hour notice is required for all inspection provided by the National City Fire Department.

Planning

39. Plans submitted for construction shall include accommodation for bicycle access along the east property line adjacent to the Interstate 5 southbound on-ramp. In lieu of actual improvements, areas within 20 feet of the curb on the east property line shall be set aside until such time as the Bayshore Bikeway is constructed. This area should be landscaped in the interim period. In the event the bikeway does not require any future easement on the subject property, the area set aside may be converted to parking area subject to Condition Number 41.
40. At minimum, one bicycle parking space shall be installed on the property. Additional spaces to accommodate future bicycle traffic should also be included.
41. All parking spaces must meet minimum dimensions as stated in the Land Use Code. Standard parking spaces shall be a minimum dimension of nine feet wide by 18 feet

- deep. Up to 25% of required parking spaces may be compact in size (eight feet by 16 feet). Excess parking spaces may be located within the future Bayshore Bikeway set-aside area, but shall be removed at such time as the bikeway is constructed.
42. A landscape and underground irrigation plan shall be submitted as part of the construction permitting process. All landscaping and irrigation improvements shall be maintained for the life of the project.
 43. Business operations shall comply with Municipal Code Title 12 (Noise) at all times.
 44. Plans submitted for construction shall conform to Land Use Code Section 18.42.040 (Screening mechanical equipment and elevator housing) and 18.46 (Outdoor Lighting), and 18.98 (Service Stations).
 45. Plans submitted for construction permits shall show that a cover for all trash enclosures be provided.
 46. The project will be required to obtain an operation permit from the San Diego County Air Pollution Control District (APCD), which will be subject to National Emission Standards for Hazardous Air Pollutants (NESHAP) and Air Toxic Control Measures (ATCM).
 47. Violation of APCD licensing/permitting or any other state licensing department shall be a violation of this Conditional Use Permit and Coastal Development Permit.
 48. Any planned exterior propane tank shall be screened in compliance with Land Use Code Section 18.42.040.
 49. All proposed business signage shall be in conformance with Land Use Code requirements.
 50. The display of alcoholic beverages shall be limited to an area in substantial conformance with Exhibit B, Case File No. 2017-03 CUP, CDP, dated 2/27/2018.
 51. The sale of alcoholic beverages for on-site consumption shall be limited to between the hours of 6:00 a.m. and 2:00 a.m. seven days a week.
 52. Coolers containing alcohol products shall be locked and made inaccessible to the public between the hours of 2:00 a.m. and 6:00 a.m.
 53. The sale of beer or malt beverages in quantities of quarts, 22-ounce, 32-ounce, 40-ounce, or similar size containers is prohibited.
 54. No beer products shall be sold of less than manufacturer's pre-packaged three-pack quantities of 24 ounce cans per sale. There shall be no sale of single cans or bottles.
 55. No sale of wine or distilled spirits shall be sold in containers of less than 750 milliliters. The sale of wine with an alcoholic content greater than 15% by volume is prohibited.

56. Flavored malt beverages, also known as premium malt beverages and flavored malt coolers, and sometimes commonly referred to as wine coolers, may be sold only by four-pack or other manufacturer's prepackaged multi-unit quantities.
57. The consumption of alcoholic beverages is prohibited on the subject premises, and on all parking lots and outbuildings and any property or adjacent property under the control of the applicant.
58. All cups and containers shall be sold at or above prevailing prices and in their original multi-container packages of no fewer than 12, and no cups and containers shall be given free of charge.
59. Ice may be sold only at or about prevailing prices in the area and in quantities of not less than three pounds per sale. Ice shall not be provided free of charge.
60. Permittee shall post signs on the exterior building walls in compliance with Chapter 10.30.070 of the National City Municipal Code. Additionally, the permittee shall post signs, to be approved by the Planning Department, at each entrance to the applicant's premises and parking lot, prohibiting loitering and consumption of alcohol on the premises and adjacent property under his control. Said signs shall not be less than 17 by 22 inches in size, with lettering not less than one inch in height. The signs shall read as follows:
- a. "No open alcoholic beverage containers are allowed on these premises."
 - b. "No loitering is allowed."
61. Containers of distilled spirits may not be stored on the premises, after being sold to patrons, for the purpose of later consumption.
62. Exterior advertising and signs of all types, promoting or indicating the availability of alcoholic beverages, including advertising/signs directed to the exterior from within, are prohibited. Interior displays of alcoholic beverages and signs, which are clearly visible to the exterior, shall constitute a violation of this condition.
63. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of all other commodities during the same period. The applicant shall at all times keep records which reflect separately the gross sales of alcoholic beverages and the gross sales of all other items. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the City Finance Department and any Peace Officer of the California Department of Alcoholic Beverage Control upon demand.
64. All sellers and servers of alcohol shall receive Responsible Beverage Service and Sales (RBSS) training, including all owners, and managers. The RBSS training must be certified by the Department of Alcoholic Beverage Control (ABC). Proof of completion of an approved RBSS program must be provided prior to issuance of a

City business license. As part of the RBSS training, the permittee shall make available a domestic violence training session as provided by the Institute of Public Strategies.

Sweetwater Authority

65. The property owner must submit a letter to the Authority from the appropriate fire agency stating fire flow requirements. Based on this requirement, new water systems or substantial alteration to the existing water system may be needed.
66. An approved backflow prevention assembly is required for water services serving all commercial developments. Water facilities shall be designed and installed in accordance with the current Sweetwater Authority Design Standards and the Standard Specifications for Construction of Water Facilities.
67. Once a building permit is obtained by the Owner, the Owner shall submit approved stamped plans from the lead agency where the project is located. The approved submittal must include a site plan, floor plan, plumbing plan showing total fixture count, including daily water demands for domestic and irrigation use in gallons per day, and a fire sprinkler plan (if applicable) so that water facilities can be verified.

Martin Reeder

From: jacques le friant <jacqueslefriant@msn.com>
Sent: Thursday, October 12, 2017 10:02 AM
To: Martin Reeder
Subject: case file no 2017-03 cup/Gas Station

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Sir

i have reservations that the traffic situation which is already bad will be made much worse at this location at certain times. i think that this should be part of the process to address this. i am sure you consider this but should i go to this upcoming hearing to comment if this needs to be addressed later.

Best Regards

jacques le friant
705 Civic Center Dr
1212 Mc Kinley Ave
619 477 7390

MARTIN SAMO
P.O. Bo 21041
EL CAJON, CA 92021

You are invited to attend a:

COMMUNITY MEETING

Date: FRIDAY, JANUARY 26, 2018

Time: 3:30PM TO 4:30PM

ADDRESS: 724 Civic Center Drive National City, CA 91950

This meeting is to inform citizens of a use permit application that has been filed for the service of beer and wine at a new **Gas Station/Convenient Store** that when opened it may be called **7-eleven, Arco, Circle K, Chevron or Shell**. We are looking forward to meeting you and discussing any concerns or questions you may have regarding this proposed Gas Station/Convenient Store operations. If you can't attend the meeting, or if you have any questions before then, please feel free to contact Martin Samo, the Applicant's representative at (619) 654-3828 or via email at martysamo@gmail.com

This notice is being sent to you in fulfillment of the City of National City requirements. This outreach effort to our neighbors is necessary because an application for development or use has been filed with the City of National City Planning Department.

Civic Center proposed Gas Station/Convenient Store operations Community Meeting

When: 1/26/2018, 03:30-04:30 pm.

Where: 724 Civic Center Dr. National City CA 91950.

Meeting was coordinated and managed by Martin Samo (the Applicant's representative).

1. Meeting held at the aforementioned date and time as scheduled on the community meeting notice mailed to surrounding occupants.
2. During the meeting time, three community members showed up, and discussed the results of developing the current status of the site into a new gas station/C store.
3. First person showed up was an occupant in *1305 Harding Ave, National City CA 91950*, this gentleman mentioned that the only concern he has is the additional traffic this proposed project will create, he was informed that there is a professional traffic engineer that is working on this matter along with the City's traffic engineer, the forecasted impact is within the acceptable range.
4. Second community member showed up was an occupant in *1315 Harding Ave National City CA 91950*, this lady mentioned that there existence of a gas station in the area, and she will prefer to have a children park, we explained how the location and traffic will make it hard to have a children park in that location.
5. The third and last community member showed up to the meeting was Mr. Paul, an occupant at *1593 McKinley Ave National City CA 91950*, he asked what the developer wants to do, also he expressed that he doesn't want to have "pan handlers" to be around since they were highly observed when the recycling center was operating in the area, Mr. Paul stated that he lived in the area since the Sixties and he is happy to have this site redeveloped and a new gas station/C store will be built.
6. 04:35 pm meeting over and the Applicant's representative left the property.



NATIONAL CITY POLICE DEPARTMENT
ALCOHOL BEVERAGE CONTROL
RISK ASSESSMENT

DATE: 03/07/2017

BUSINESS NAME: 7-Eleven

ADDRESS: 724 Civic Center Drive, National City, CA 91950

OWNER NAME: Amad Yelda Attisha DOB: 11/08/1969

OWNER ADDRESS: 1741 Sea Pines Road, El Cajon, CA 92019

(add additional owners on page 2)

I. Type of Business

- Restaurant (1 pt)
- ☒ Market (2 pts)
- Bar/Night Club (3 pts)
- Tasting Room (1pt)

II. Hours of Operation

- Daytime hours (1 pt)
- Close by 11pm (2 pts)
- ☒ Close after 11pm (3 pts)

III. Entertainment

- Music (1 pt)
- Live Music (2 pts)
- Dancing/Live Music (3 pts)
- ☒ No Entertainment (0 pts)

IV. Crime Rate

- Low (1 pt)
- Medium (2 pts)
- ☒ High (3 pts)

V. Alcohol Businesses per Census Tract

- Below (1 pt)
- Average (2 pts)
- ☒ Above (3 pts)

Notes:

Alcohol Businesses per Census

Tract / Over saturation.

Crime Rate High for Beat 24

VI. Calls for Service at Location (for previous 6 months)

- ✓ Below (1 pt)
- Average (2 pts)
- Above (3 pts)

VII. Proximity Assessment (1/4 mile radius of location)

- ✓ Mostly commercial businesses (1 pt)
- Some businesses, some residential (2 pts)
- Mostly residential (3 pts)

Low Risk (12pts or less)
Medium Risk (13 – 18pts)
High Risk (19 – 24pts)

Total Points 13

VIII. Owner(s) records check

- ✓ No criminal incidents (0 pts)
- Minor criminal incidents (2 pts)
- Multiple/Major criminal incidents (3 pts)

OWNER NAME: _____ DOB: _____

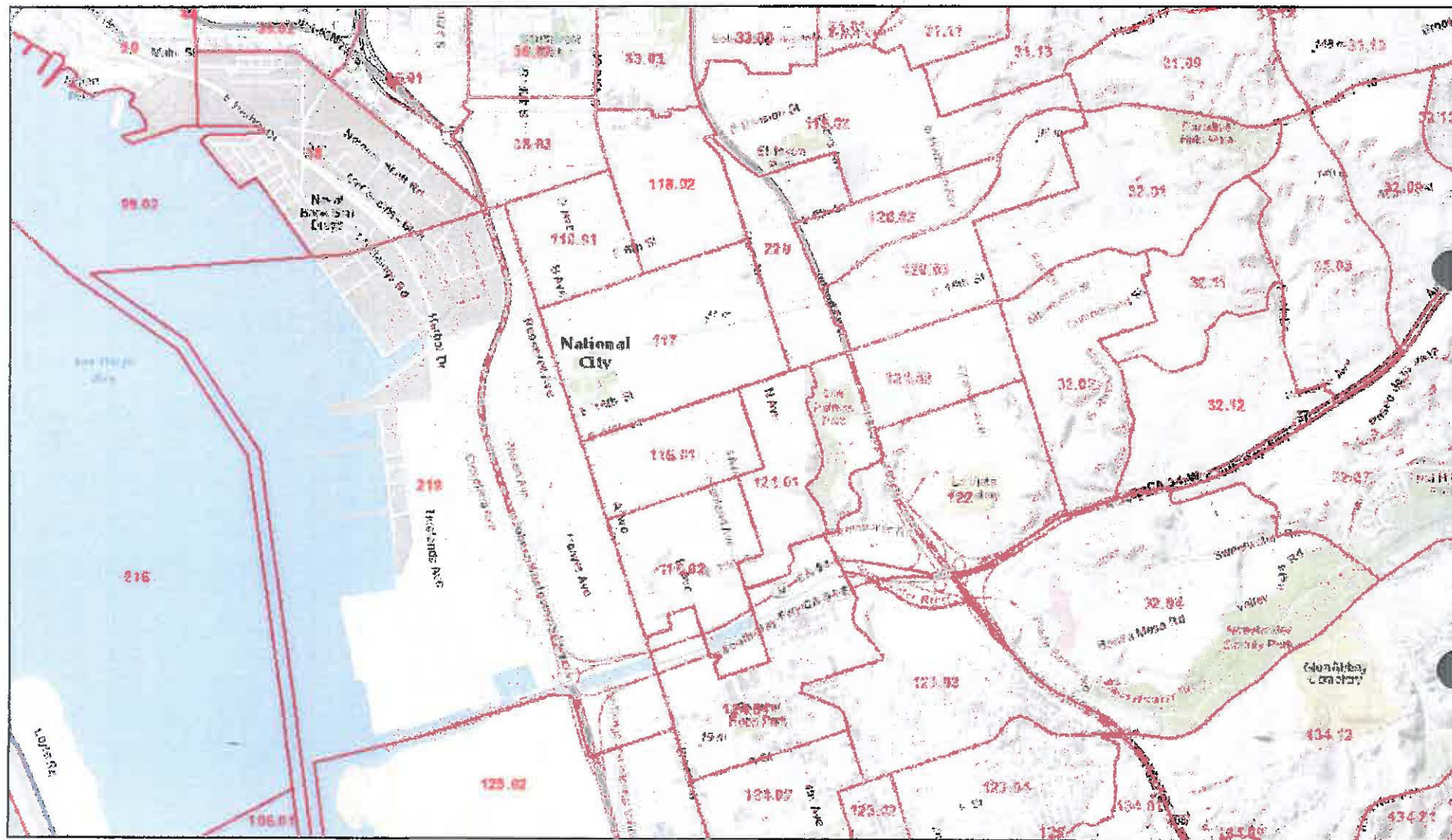
OWNER ADDRESS: _____

OWNER NAME: _____ DOB: _____

OWNER ADDRESS: _____

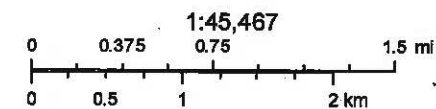
Recommendation:

Completed by: Shephard Badge ID: 402

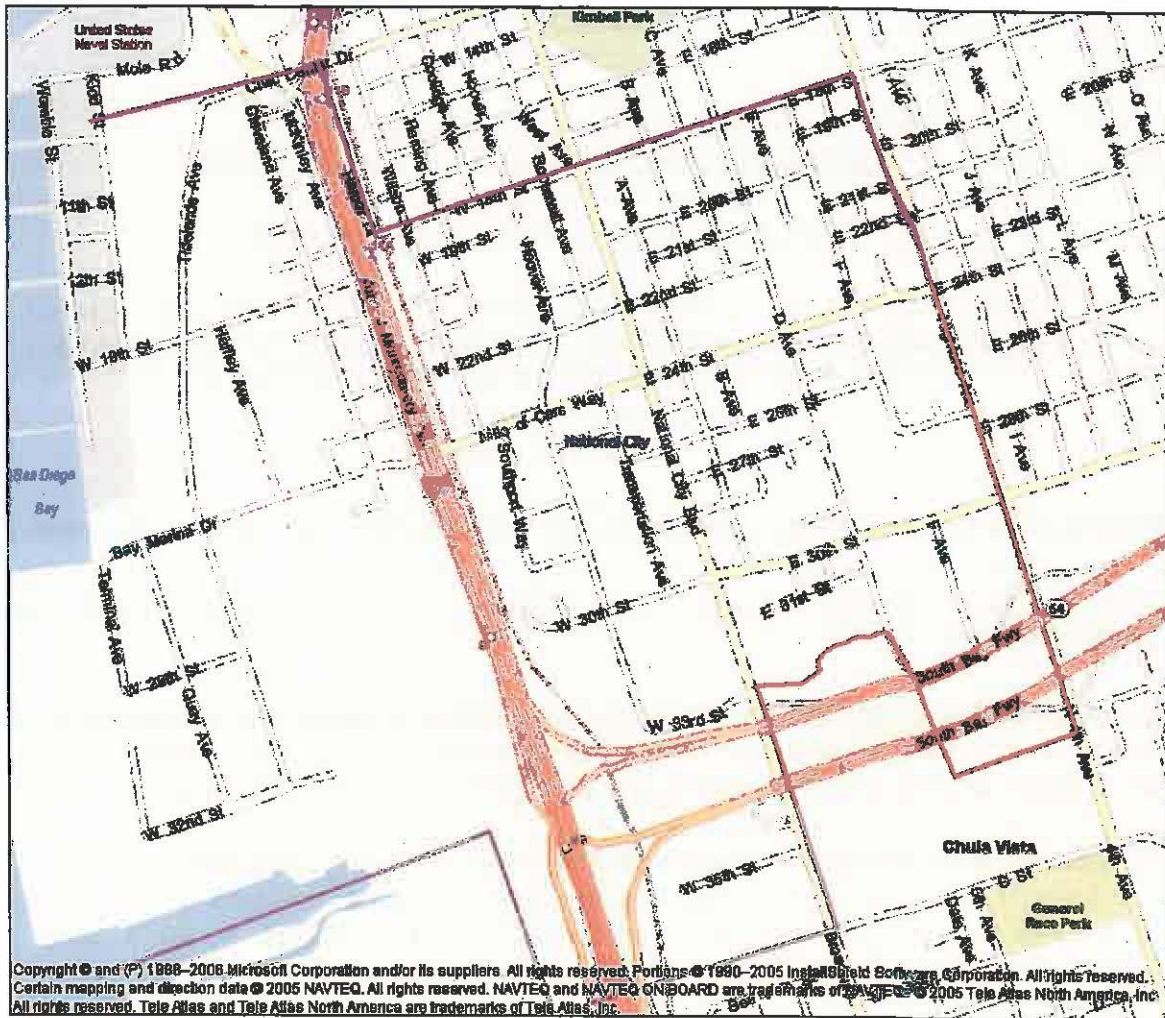


August 25, 2014

CensusTracts 2010



Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



City of National City Beat 24

Source: Microsoft Mappoint
NCPD CAU, 4/18/07



CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF CONTINUED PUBLIC HEARING

CONDITIONAL USE PERMIT AND COASTAL DEVELOPMENT PERMIT
FOR A GAS STATION AND CONVENIENCE STORE TO BE LOCATED
AT 724 CIVIC CENTER DRIVE IN THE COASTAL ZONE.

CASE FILE NO.: 2017-03 CUP, CDP
APN: 559-024-06

The National City Planning Commission will hold a public hearing after the hour of 6:00 p.m. **Monday, March 5, 2018**, in the City Council Chambers, Civic Center, 1243 National City Boulevard, National City, California, on the proposed request (Applicant: Stosh Podeswik).

The applicant is proposing to demolish the existing building and construct a new gas station and 2,400 square-foot convenience store. The 25,466 square-foot property would have up to 12 parking spaces and four double-sided fuel pumps.

Information is available for review at the City's Planning Department, Civic Center. Members of the public are invited to comment. Written comments should be received by the Planning Department on or before 12:00 p.m., **March 5, 2018**, who can be contacted at 619-336-4310 or planning@nationalcityca.gov

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

NATIONAL CITY PLANNING DEPARTMENT

BRAD RAULSTON
Deputy City Manager



CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF EXEMPTION

TO: Assessor/Recorder/County Clerk
Attn: Fish & Wildlife Notices
1600 Pacific Highway, Room 260
San Diego, CA 92101
MS: A-33

Project Title: 2017-03 CUP, CDP

Project Location: 724 Civic Center Drive, National City, CA 91950

Lead Agency: City of National City

Contact Person: Martin Reeder

Telephone Number: (619) 336-4313

Description of Nature, Purpose and Beneficiaries of Project:

Conditional Use Permit and Coastal Development Permit for a gas station and 2,400 square-foot convenience store at a site previously developed with a gasoline service station.

Applicant Name and Address:

Stosh Podeswik
4682 Nebo drive
La Mesa, CA 91941

Telephone Number:

(619) 246-9044

Email Address:

stosh@stoshthomas.com

Exempt Status:

☒ **Categorical Exemption. Class 32, Section 15332 (In-Fill Development Projects)**

Reasons why project is exempt:

There is no possibility that the proposed use will have a significant impact on the environment since construction of the gas station and convenience store will replace an existing gas service station. In addition a Traffic Impact Analysis prepared for the proposal found that there would be no calculated traffic impacts; therefore, mitigation measures are not required.

Date:

MARTIN REEDER, AICP
Principal Planner

RESOLUTION NO. 2018-03 (a)

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF NATIONAL CITY, CALIFORNIA, APPROVING A
CONDITIONAL USE PERMIT AND COASTAL DEVELOPMENT PERMIT
FOR A GAS STATION AND CONVENIENCE STORE TO BE LOCATED AT
724 CIVIC CENTER DRIVE IN THE COASTAL ZONE.**

APPLICANT: STOSH PODESWIK.

CASE FILE NO. 2017-03 CUP, CDP

APN: 559-024-06

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit and Coastal Development Permit for a gas station and convenience store to be located at 724 Civic Center Drive in the Coastal Zone at duly advertised public hearings held on October 16, 2017 and March 5, 2018, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2017-03 CUP, CDP maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law; and,

WHEREAS, the action recited herein is found to be essential for the preservation of public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California that the testimony and evidence presented to the Planning Commission at public hearings held on October 16, 2017 and March 5, 2018 support the following findings:

1. That the site for the proposed use is adequate in size and shape, because the 25,466 square-foot property is in excess of the 15,000 square feet required by Section 18.98 of the [previous] Municipal Code. Additionally, all buildings and parking spaces can be installed to meet all setback and site design requirements.
2. That the site has sufficient access, because the site has direct access to Harbor Drive, an arterial street; Civic Center Drive, a collector street; and Interstate 5, a freeway, which can accommodate the additional 1,280 ADT that would be generated by the project. The TIA submitted with this application has shown that the existing street network can function at an LOS of D or better without the need for mitigation.
3. That the proposed use will not have an adverse effect upon adjacent or abutting properties, because the project is a use consistent with the Medium Manufacturing (MM) zone description in the General Plan and will be subject to conditions of approval that ensure safe operation of the business

4. That the proposed use is deemed essential and desirable to the public convenience, because the project will provide a service in need for local and regional drivers requiring automobile refueling and associated services. The use is consistent with the MM zone description, which is intended for uses in areas in which activities involve some degree of noise, vibration, air pollution, radiation, glare phenomena, and/or fire and explosive hazards.
5. That the granting of this Conditional Use Permit is consistent with and implements the Certified Local Coastal Program, because the project is located within an area generally exempt from a Coastal Development Permit; involves a service use, which is conditionally allowed in the MM-CZ zone; and will not prohibit coastal access or obstruct views.
6. That the proposed project has been reviewed in compliance with the California Environmental Quality Act, because it has been determined that the proposed use qualifies for a categorical exemption from CEQA under Class 32, Section 15332 (In-Fill Development Projects).
7. That the proposed use is deemed essential and desirable to the public convenience and necessity, because beer and wine sales will contribute to the viability of the gas station convenience store, an allowed use in the MM zone. Alcohol sales would add to the convenience of the consumer, in that customers would be able to purchase alcohol at the same outlet that they are purchasing other products and not needing to visit multiple locations for their needs.
8. That based on findings 1 through 7 above, public convenience and necessity will be served by a proposed use of the property for the retail sales of alcoholic beverages pursuant to law.

BE IT FURTHER RESOLVED that the application for Conditional Use Permit and Coastal Development Permit is approved subject to the following conditions:

General

1. This Conditional Use Permit and Coastal Development Permit authorize a gas station with a convenience store, including the sale of beer and wine. Except as required by conditions of approval, all plans submitted for permits associated with the project shall conform to Exhibits A and B, Case File No. 2017-03 CUP, CDP, dated 1/27/2018 and 2/27/2018.
2. Within four (4) days of approval, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be

made payable to the County Clerk and submitted to the National City Planning Department.

3. This permit shall become null and void if not exercised within one year after adoption of the Resolution of approval unless extended according to procedures specified in the Land Use Code.
4. Before this *Conditional Use Permit and Coastal Development Permit* shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of this permit. **Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Conditional Use Permit and Coastal Development Permit*.** The applicant shall also submit evidence to the satisfaction of the City Manager or designee that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit and Coastal Development Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the City Manager or designee prior to recordation.

Building

5. Plans submitted for demolition or construction improvements must comply with the 2016 editions of the California Building, Electrical, Plumbing, Mechanical, and Fire Codes.

Engineering

6. A Hydrology study (100 year flood) is required for the new project. The study should consider the proposed project area to the closest municipal storm drain collection point. The study should consider the adequacy of the existing storm drain system to convey any additional run off. All Hydrology study findings and recommendations are part of Engineering Department requirements.
7. The Priority Project Applicability checklist for the National Pollutant Discharge Elimination System (NPDES) is required to be completed and submitted to the Engineering Department. The checklist will be required when a project site is submitted for review of the City Departments. The checklist is available at the Engineering Department. If it is determined that the project is subject to the "Priority Project Permanent Storm Water BMP Requirements" and the City of National City Storm Water Best Management Practices of the Jurisdictional Urban Runoff Management Program (JURMP) approved Standard Urban Storm Water Mitigation Plan (SUSMP) documentation will be required prior to issuance of an applicable engineering permit. The SUSMP shall be prepared by a Registered Civil Engineer.
8. The Best Management Practices (BMPs) for the maintenance of the proposed construction shall be undertaken in accordance with the National Pollutant Discharge

Elimination System (NPDES) regulations which may require a Storm Water Pollution Prevention Plan (SWPPP) for the project. An approved SWPPP will be required prior to issuing of a construction permit.

9. All surface run-off shall be treated with an approved Standard Urban Runoff Mitigation Plan (SUSMP) Best Management Practice (BMP) for all Priority SUSMP projects. No runoff will be permitted to flow over the sidewalk. Adjacent properties shall be protected from surface run-off resulting from this development.
10. The property owner, or its successors and assigns shall be responsible for the maintenance, repair, or reconstruction of all irrigation and landscaping improvements installed within the public right-of-way. Sprinkler heads shall be adjusted so as to prevent overspray upon the public sidewalk or the street. The proposed sprinkler heads shall be installed behind the sidewalk, and the irrigation mainline upon private property only, as required by the City. The property owner or, its successors or assigns, shall be remove and relocate all irrigation items from the public right-of-way at no cost to the City, and within a reasonable time frame upon a written notification by the City Engineer.
11. Metallic identification tape shall be placed between the bottom layer of the finished surface and the top of all irrigation lines in the public right-of-way.
12. A grading and drainage plan shall be submitted showing all of the proposed and existing on-site and off-site improvements. The plan shall be prepared in accordance with the City's standard requirements by a Registered Civil Engineer. All necessary measures for prevention of storm water pollution and hazardous material run-off to the public storm drain system from the proposed parking lot or development shall be implemented with the design of the grading. This shall include the provision of such devices as storm drain interceptors, clarifiers, or filters. Best Management Practices for the maintenance of the parking lot, including sampling, monitoring, and cleaning of private catch basins and storm drains, shall be undertaken in accordance with the National Pollution Discharge Elimination System (NPDES) regulations. A private storm water treatment maintenance agreement shall be signed and recorded. A check list for preparation of the grading plan/drainage plan is available at the Engineering Department.
13. All existing and proposed curb inlet on property shall be provided with a "No Dumping" signage in accordance with the NPDES program.
14. A sewer permit will be required. The method of sewage collection and disposal shall be shown on the grading/drainage plan. Any new sewer lateral in the City right-of-way shall be 6-inch in size with a clean out. A sewer stamp "S" shall be provided on the curb to mark the location of the lateral.
15. Separate street and sewer plans, prepared by a Registered Civil Engineer, shall be submitted showing all of the existing and proposed improvements. The plans shall be in accordance with City requirements.

16. A soils engineering report shall be submitted for the Engineering Department's review, after Planning Commission approval. The report shall address the stability of all of the existing and proposed slopes on the property. It shall also address the adequacy of the building pads, the criteria for any new retaining wall design, the maximum allowable soil bearing pressure and the required pavement structural sections for the proposed streets, the parking areas, and the driveways. As a minimum, the parking lot pavement sections shall be 2 inch A.C. over 4 inch Class II aggregate base. The street pavement sections shall be in accordance with National City modified Standard Drawing G-34. All soils report findings and recommendations shall be part of the Engineering Department requirements.
17. The deteriorated portions of the existing street improvements along the property frontages shall be removed and replaced. Specifically all sidewalk and curb and gutter. Sidewalk shall be in accordance with San Diego Regional Standard Drawings (SDRSD) G-7, G-9, G-10 and G-11 curb and gutter shall be 8" and be in accordance with National City Modified SDRSD G-2.
18. The existing pedestrian ramp(s) at the following locations(s) shall be removed and replaced with standard ramp complying with the ADA requirements and the SDRSD G-29 (Type C) located on the southeasterly corner of Civic Center Drive and Cleveland Avenue.
19. All existing survey monuments, including any benchmark, within the boundaries of the project shall be shown on the plans. If disturbed, a licensed land surveyor or civil engineer shall restore them after completion of the work. A Corner Record shall be filed with the County of San Diego Recorder. A copy of the documents filed shall be given to the City of National City Engineering Department as soon as filed.
20. A permit shall be obtained from the Engineering Department for all improvement work within the public right-of-way, and any grading construction on private property.
21. Street improvements shall be in accordance with the City Standards. All missing street improvements shall be constructed. Abandoned driveway aprons shall be replaced with curb, gutter, and sidewalks.
22. A title report shall be submitted to the Engineering Department, after the Planning Commission approval, for review of all existing easements and the ownership at the property.
23. NO PARKING zone(s) (red curbing) shall be provided and/or replaced after new curb has been installed.
24. The existing non-operational abandoned pay telephone on Civic Center Drive adjacent to the westerly driveway shall be removed.
25. A cost estimate for all of the proposed grading, drainage, street improvements, landscaping and retaining wall work shall be submitted with the plans. A performance bond equal to the approved cost estimate shall be posted. Three percent (3%) of the estimated cost shall also be deposited with the City as an initial cost for plan checking and inspection

services at the time the plans are submitted. The deposit is subject to adjustment according to actual worked hours and consultant services.

26. A hydromodification plan or a letter sealed and signed by the Engineer of Work explaining why the project is exempt from hydromodification requirements shall be submitted.
27. The owner/developer shall submit plans to Cal Trans for their review to ensure that any conflicts with State Right of Ways and Facilities are addressed.

Fire

28. Plans submitted for improvements must comply with the current editions of the California Fire Code (CFC), National Fire Protection Association (NFPA), and California Code of Regulations (CCR).
29. Fire apparatus access roads shall comply with the requirements of Section 5 CFC 2013 and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the building as measured by an approved route around the exterior of the building. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus.
30. The required width of emergency fire apparatus access roads shall not be obstructed in any manner, including parking of vehicles. All access roads shall be no less than 20 feet wide, no less than 14 feet high and shall have an all-weather road with the ability to support 75 thousand pounds or greater. Where a fire hydrant is located on a fire apparatus road, the minimum road width shall be 26 feet. A 28 foot turning radius is required for Fire Department access through site. All Fire Department access roads shall be painted and signed to prevent parking in these required designated emergency areas
31. Grade of fire apparatus road shall be within the limits established (15% grade) by the fire code official based on fire department's apparatus.
32. The vapor recovery unit (Healy Tank) shall comply with Chapter 23 section 2306.7.9.1 – 2306.7.9.2.4 of the California Fire Code. Additionally, lot lines and proximity to surrounding properties where Healy Tanks are proposed, shall meet CFC, NFPA and all City Department requirements. Please contact the National City Fire Department on required protective enclosure for vapor tank.
33. Underground fuel tank removal and replacement will require permit and inspections from the National City Fire Department.
34. Emergency service access to the trash enclosure shall be maintained at all times for the life of project.
35. Exit signs shall be provided at all required exits. Exit signs shall be green in color per the National City Municipal Code.

36. All fire sprinkler and fire alarm plans shall be submitted directly to the National City Fire Department.
37. Soft drink CO2 dispensing systems require a permit and inspection per the California Fire Code Chapter 53 section 5307 – *Systems used in beverage dispensing applications*.
38. A 48-hour notice is required for all inspection provided by the National City Fire Department.

Planning

39. Plans submitted for construction shall include accommodation for bicycle access along the east property line adjacent to the Interstate 5 southbound on-ramp. In lieu of actual improvements, areas within 20 feet of the curb on the east property line shall be set aside until such time as the Bayshore Bikeway is constructed. This area should be landscaped in the interim period. In the event the bikeway does not require any future easement on the subject property, the area set aside may be converted to parking area subject to Condition Number 41.
40. At minimum, one bicycle parking space shall be installed on the property. Additional spaces to accommodate future bicycle traffic should also be included.
41. All parking spaces must meet minimum dimensions as stated in the Land Use Code. Standard parking spaces shall be a minimum dimension of nine feet wide by 18 feet deep. Up to 25% of required parking spaces may be compact in size (eight feet by 16 feet). Excess parking spaces may be located within the future Bayshore Bikeway set-aside area, but shall be removed at such time as the bikeway is constructed.
42. A landscape and underground irrigation plan shall be submitted as part of the construction permitting process. All landscaping and irrigation improvements shall be maintained for the life of the project.
43. Business operations shall comply with Municipal Code Title 12 (Noise) at all times.
44. Plans submitted for construction shall conform to Land Use Code Section 18.42.040 (Screening mechanical equipment and elevator housing) and 18.46 (Outdoor Lighting), and 18.98 (Service Stations).
45. Plans submitted for construction permits shall show that a cover for all trash enclosures be provided.
46. The project will be required to obtain an operation permit from the San Diego County Air Pollution Control District (APCD), which will be subject to National Emission Standards for Hazardous Air Pollutants (NESHAP) and Air Toxic Control Measures (ATCM).
47. Violation of APCD licensing/permitting or any other state licensing department shall be a violation of this Conditional Use Permit and Coastal Development Permit.

48. Any planned exterior propane tank shall be screened in compliance with Land Use Code Section 18.42.040.
49. All proposed business signage shall be in conformance with Land Use Code requirements.
50. The display of alcoholic beverages shall be limited to an area in substantial conformance with Exhibit B, Case File No. 2017-03 CUP, CDP, dated 2/27/2018.
51. The sale of alcoholic beverages for on-site consumption shall be limited to between the hours of 8:00 a.m. and 12:00 a.m. seven days a week.
52. Coolers containing alcohol products shall be locked and made inaccessible to the public between the hours of 12:00 a.m. and 8:00 a.m.
53. The sale of beer or malt beverages in quantities of quarts, 22-ounce, 32-ounce, 40-ounce, or similar size containers is prohibited.
54. No beer products shall be sold of less than manufacturer's pre-packaged three-pack quantities of 24 ounce cans per sale. There shall be no sale of single cans or bottles.
55. No sale of wine or distilled spirits shall be sold in containers of less than 750 milliliters. The sale of wine with an alcoholic content greater than 15% by volume is prohibited.
56. Flavored malt beverages, also known as premium malt beverages and flavored malt coolers, and sometimes commonly referred to as wine coolers, may be sold only by four-pack or other manufacturer's prepackaged multi-unit quantities.
57. The consumption of alcoholic beverages is prohibited on the subject premises, and on all parking lots and outbuildings and any property or adjacent property under the control of the applicant.
58. All cups and containers shall be sold at or above prevailing prices and in their original multi-container packages of no fewer than 12, and no cups and containers shall be given free of charge.
59. Ice may be sold only at or about prevailing prices in the area and in quantities of not less than three pounds per sale. Ice shall not be provided free of charge.
60. Permittee shall post signs on the exterior building walls in compliance with Chapter 10.30.070 of the National City Municipal Code. Additionally, the permittee shall post signs, to be approved by the Planning Department, at each entrance to the applicant's premises and parking lot, prohibiting loitering and consumption of alcohol on the premises and adjacent property under his control. Said signs shall not be less than 17 by 22 inches in size, with lettering not less than one inch in height. The signs shall read as follows:
 - a. "No open alcoholic beverage containers are allowed on these premises."
 - b. "No loitering is allowed."

61. Containers of distilled spirits may not be stored on the premises, after being sold to patrons, for the purpose of later consumption.
62. Exterior advertising and signs of all types, promoting or indicating the availability of alcoholic beverages, including advertising/signs directed to the exterior from within, are prohibited. Interior displays of alcoholic beverages and signs, which are clearly visible to the exterior, shall constitute a violation of this condition.
63. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of all other commodities during the same period. The applicant shall at all times keep records which reflect separately the gross sales of alcoholic beverages and the gross sales of all other items. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the City Finance Department and any Peace Officer of the California Department of Alcoholic Beverage Control upon demand.
64. All sellers and servers of alcohol shall receive Responsible Beverage Service and Sales (RBSS) training, including all owners, and managers. The RBSS training must be certified by the Department of Alcoholic Beverage Control (ABC). Proof of completion of an approved RBSS program must be provided prior to issuance of a City business license. As part of the RBSS training, the permittee shall make available a domestic violence training session as provided by the Institute of Public Strategies.

Sweetwater Authority

65. The property owner must submit a letter to the Authority from the appropriate fire agency stating fire flow requirements. Based on this requirement, new water systems or substantial alteration to the existing water system may be needed.
66. An approved backflow prevention assembly is required for water services serving all commercial developments. Water facilities shall be designed and installed in accordance with the current Sweetwater Authority Design Standards and the Standard Specifications for Construction of Water Facilities.
67. Once a building permit is obtained by the Owner, the Owner shall submit approved stamped plans from the lead agency where the project is located. The approved submittal must include a site plan, floor plan, plumbing plan showing total fixture count, including daily water demands for domestic and irrigation use in gallons per day, and a fire sprinkler plan (if applicable) so that water facilities can be verified.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of March 5, 2018, by the following vote:

AYES: Yamane, Sendt, Garcia, Flores, Dela Paz, Quintero

NAYS: None.

ABSENT: Baca

ABSTAIN: None


CHAIRPERSON

CONVENIENT STORE

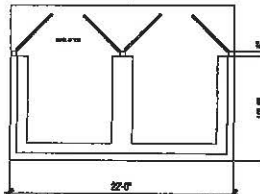
724 CIVIC CENTER DRIVE NATIONAL CITY, CA. 92117

CIVIC CENTER DRIVE

CLEVELAND AVENUE

HARBOR DRIVE
RAMP TO INTERSTATE 5

RAMP FROM INTERSTATE 5



TRASH ENCLOSURE

ARCHITECTURAL SITE PLAN

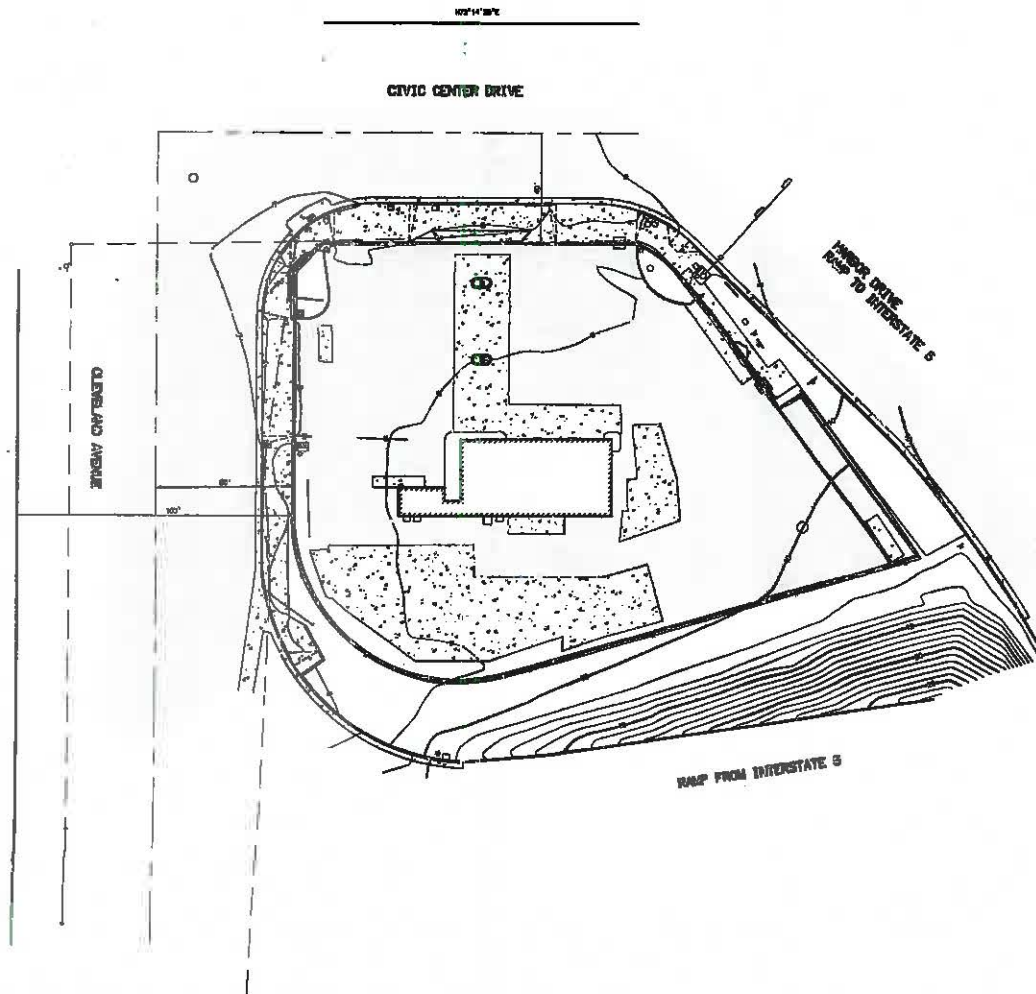
EXHIBIT: A
CASE FILE NO.: 2017-03 CUP, COP
DATE: 1/27/2018

CUP 2017-03

PROJECT DATA

PROJECT ADDRESS: 724 CIVIC CENTER DRIVE, NATIONAL CITY, CA 92117
OWNER: BOLDEN BUILDING PROPERTIES LLC
PHONE: (619) 594-0000
EMAIL: BOLDENBUILDING@GMAIL.COM
APR: 000-00-00
LEGAL DESCRIPTION: PORTION OF LOT 1, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 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TOPOGRAPHIC MAP
724 CIVIC CENTER DRIVE
 NATIONAL CITY, CA 91950



BENCHMARK

THE BENCHMARK FOR THIS MAP IS A NATIONAL CITY METEOR. CONTROL MARKER NO. 5, A SURVEY PLAIN, AND PIONEER OF CIVIC CENTER AT THE TOP OF CLEVELAND AVENUE AND CIVIC CENTER DRIVE, ADJACENT TO THE TRANSFER.

ELEVATION = 7.00

NOTES

1. ACCURATE'S PROJECT NO. 000-001-001.
2. LAND DESCRIPTION: ALL THOSE PORTIONS OF LOTS 1 THROUGH 7, 11, 12 AND 13 THROUGH 14 IN BLOCK 10, IN THE CITY OF NATIONAL CITY, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE TRACT MAP NO. 100, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JUNE 21, 1978, WITH A CORRECTION TO THE TRACT MAP NO. 100-000000, RECORDED APRIL 20, 1984.
3. THE LOCATION OF UNDEVELOPED UTILITIES (WATER, SEWER, GAS, ETC.) HAVE BEEN DETERMINED FROM A FIELD SURVEY OF SURFACE FEATURES, SUBMITTED TO VERIFY EXISTING LOCATION FROM TO THE BENCHMARK.
4. THERE ARE NO OTHER ADJACENT (0.00-0.00-70 ADJACENT FEET).
5. THE PROPERTY LINES, BOUNDARIES AND CORNERS, HAVE BEEN DETERMINED FROM A FIELD SURVEY OF SURFACE FEATURES, SUBMITTED TO VERIFY EXISTING LOCATION FROM TO THE BENCHMARK.



GRAPHIC SCALE



ACCURATE
LAND SURVEYS
 2024 ALPINE BLVD., SUITE 204, ALPINE, CA 91901
 PH: 619-442-0200

Robert A. Marshall, PLS
 ROBERT A. MARSHALL, PLS
 DATE



PRELIMINARY GRADING PLAN FOR CONVENIENT STORE

NOT FOR CONSTRUCTION

IMPERVIOUS AREA	
EXISTING IMPERVIOUS AREA	25,032 SF
EXISTING PERVIOUS AREA	434 SF
PROPOSED IMPERVIOUS AREA	15,925 SF
PROPOSED PERVIOUS AREA	8,845 SF

CONSTRUCTION NOTES:

1. CONSTRUCT CONCRETE DRIVEWAY PER SLOPE 0-30
2. CONSTRUCT 12" X 12" CATCH BASIN
3. CONSTRUCT 12" X 12" CATCH BASIN
4. CONSTRUCT 12" X 12" CATCH BASIN (SEE DETAIL)
5. CONSTRUCT 12" X 12" CATCH BASIN
6. CONSTRUCT 12" X 12" CATCH BASIN
7. CONSTRUCT CURB AND GUTTER PER SLOPE 0-3
8. CONCRETE PAVEMENT

EARTHWORK DATA

CUT = 158 C.Y. FILL = 158 C.Y.
EXPORT = 0 C.Y.

TOTAL LOT AREA = 25,466 S.F.
TOTAL DISTURBED AREA = 25,466 S.F.

THESE QUANTITIES DO NOT INCLUDE ANY LOSSES DUE TO SWELLAGE, SUBSIDENCE, UNDERCUTTING, OR ANY SPECIAL REQUIREMENTS THAT MAY BE SPECIFIED IN THE PRELIMINARY SOILS REPORT. THESE QUANTITIES ARE FOR PERMIT PURPOSES ONLY. ALL CONTRACTORS BIDDING ON THIS PROJECT SHOULD MAKE THEIR OWN DETERMINATION OF EARTHWORK QUANTITIES PRIOR TO SUBMITTING A BID.

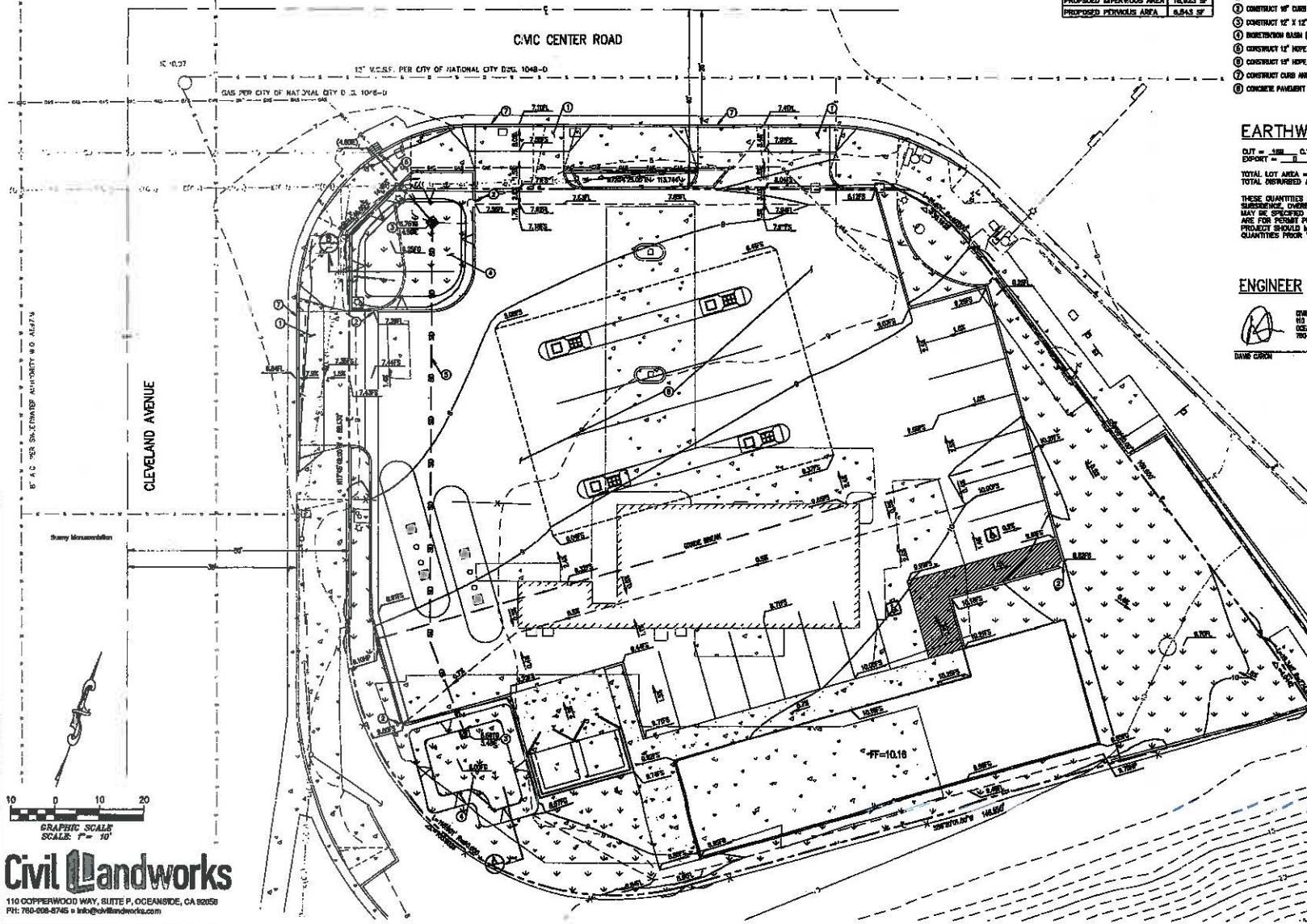
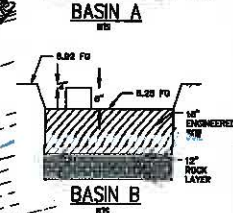
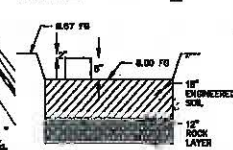
ENGINEER

DR. LANDWORKS CORP.
110 COPPERWOOD WAY, SUITE P, OCEANSIDE, CA 92055
TEL: 760-438-8745 FAX: 760-438-8746
DATE: 12-15-17



LEGEND:

- PROPERTY LINE
- RIGHT OF WAY
- CELINE
- EXISTING CONTOUR (HATCH)
- EXISTING CONTOUR (HATCH)
- PROPOSED CONTOUR (HATCH)
- PROPOSED CONTOUR (HATCH)
- CUT / FILL SLOPE
- DAYLINE
- DIRECTION OF DRAINAGE
- CURB AND GUTTER
- PER. STORM DRAIN LINE
- PER. CATCH BASIN



Civil Landworks
110 COPPERWOOD WAY, SUITE P, OCEANSIDE, CA 92055
PH: 760-438-8745 • info@civillandworks.com

PRELIMINARY UTILITY PLAN FOR CONVENIENT STORE
NOT FOR CONSTRUCTION

CONSTRUCTION NOTES:

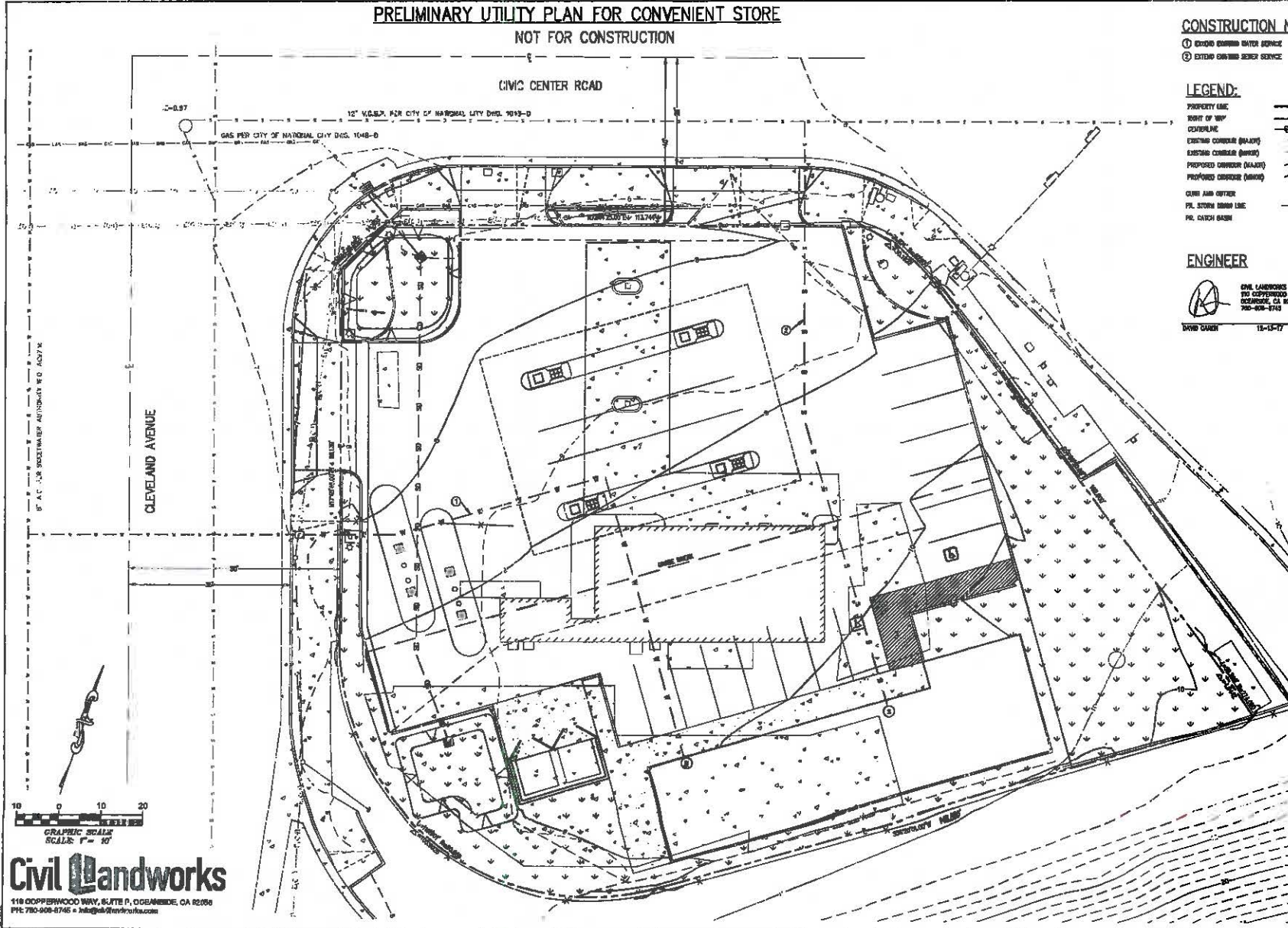
- ① EXISTING WATER SERVICE
- ② EXISTING WATER SERVICE

LEGEND:

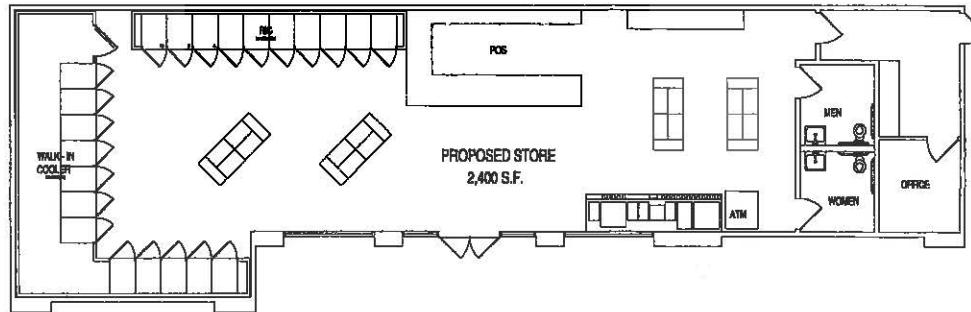
- PROPERTY LINE
- RIGHT OF WAY
- CONCRETE LINE
- EXISTING CONCRETE (HATCH)
- EXISTING CONCRETE (HATCH)
- PROPOSED CONCRETE (HATCH)
- PROPOSED CONCRETE (HATCH)
- CURB AND GUTTER
- PE. STORM DRAIN LINE
- PE. CATCH BASIN

ENGINEER

 CIVIL LANDWORKS CORP.
 119 COPPERWOOD WAY, SUITE P, OCEANSIDE, CA 92056
 760-438-4743
 DATE: 12-15-17



Civil Landworks
 119 COPPERWOOD WAY, SUITE P, OCEANSIDE, CA 92056
 PH: 760-438-4743 • info@civillandworks.com



PROPOSED STORE PLAN



PROPOSED ELEVATION

ACOUSTICAL NOTES

1. ALL GLAZING SHALL HAVE A MINIMUM STC RATING OF 30
2. PROVIDE FRESH AIR INTAKE PER MECHANICAL

GENERAL NOTES

1. CONSTRUCTION AND FINISHES SHALL BE IN ACCORDANCE WITH THE 2018 INTERNATIONAL RESIDENTIAL CODE (IRC).
2. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2018 INTERNATIONAL RESIDENTIAL CODE (IRC).
3. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2018 INTERNATIONAL RESIDENTIAL CODE (IRC).
4. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2018 INTERNATIONAL RESIDENTIAL CODE (IRC).
5. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2018 INTERNATIONAL RESIDENTIAL CODE (IRC).
6. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2018 INTERNATIONAL RESIDENTIAL CODE (IRC).
7. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2018 INTERNATIONAL RESIDENTIAL CODE (IRC).
8. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2018 INTERNATIONAL RESIDENTIAL CODE (IRC).
9. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2018 INTERNATIONAL RESIDENTIAL CODE (IRC).
10. ALL WORK SHALL BE IN ACCORDANCE WITH THE 2018 INTERNATIONAL RESIDENTIAL CODE (IRC).

KEYNOTES

1. SEE PLAN FOR LOCATION OF KEYNOTES.
2. SEE PLAN FOR LOCATION OF KEYNOTES.
3. SEE PLAN FOR LOCATION OF KEYNOTES.
4. SEE PLAN FOR LOCATION OF KEYNOTES.
5. SEE PLAN FOR LOCATION OF KEYNOTES.
6. SEE PLAN FOR LOCATION OF KEYNOTES.
7. SEE PLAN FOR LOCATION OF KEYNOTES.
8. SEE PLAN FOR LOCATION OF KEYNOTES.
9. SEE PLAN FOR LOCATION OF KEYNOTES.
10. SEE PLAN FOR LOCATION OF KEYNOTES.

LEGEND

- | | |
|--|---------|
| | 1/2\"/> |
| | 1/4\"/> |
| | 1/8\"/> |

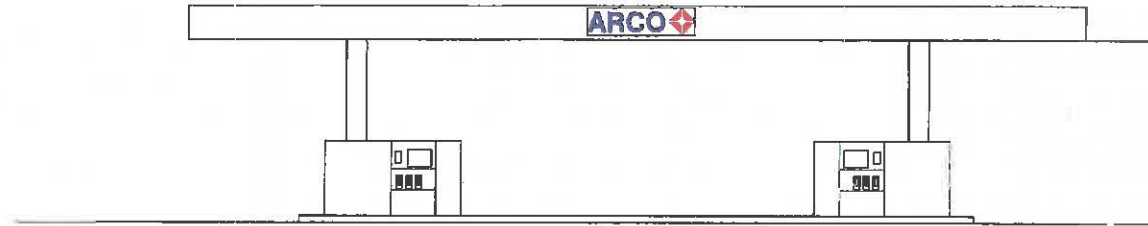
DATE	DESCRIPTION	BY	CHKD
08/11/2021	ISSUED FOR PERMIT	JCB	STASH
08/11/2021	REVISION 1	JCB	STASH
08/11/2021	REVISION 2	JCB	STASH

CONVENIENT STORE
794 CIVIC CENTER DRIVE
NATIONAL, CA 92117



STASH
THOMAS
ARCHITECTS

DATE: 08/11/2021
SCALE: 1/8\"/>
DRAWN: JCB
JCB: 1000
CHECKED: STASH
A1.1



CANOPY ELEVATION
DATE

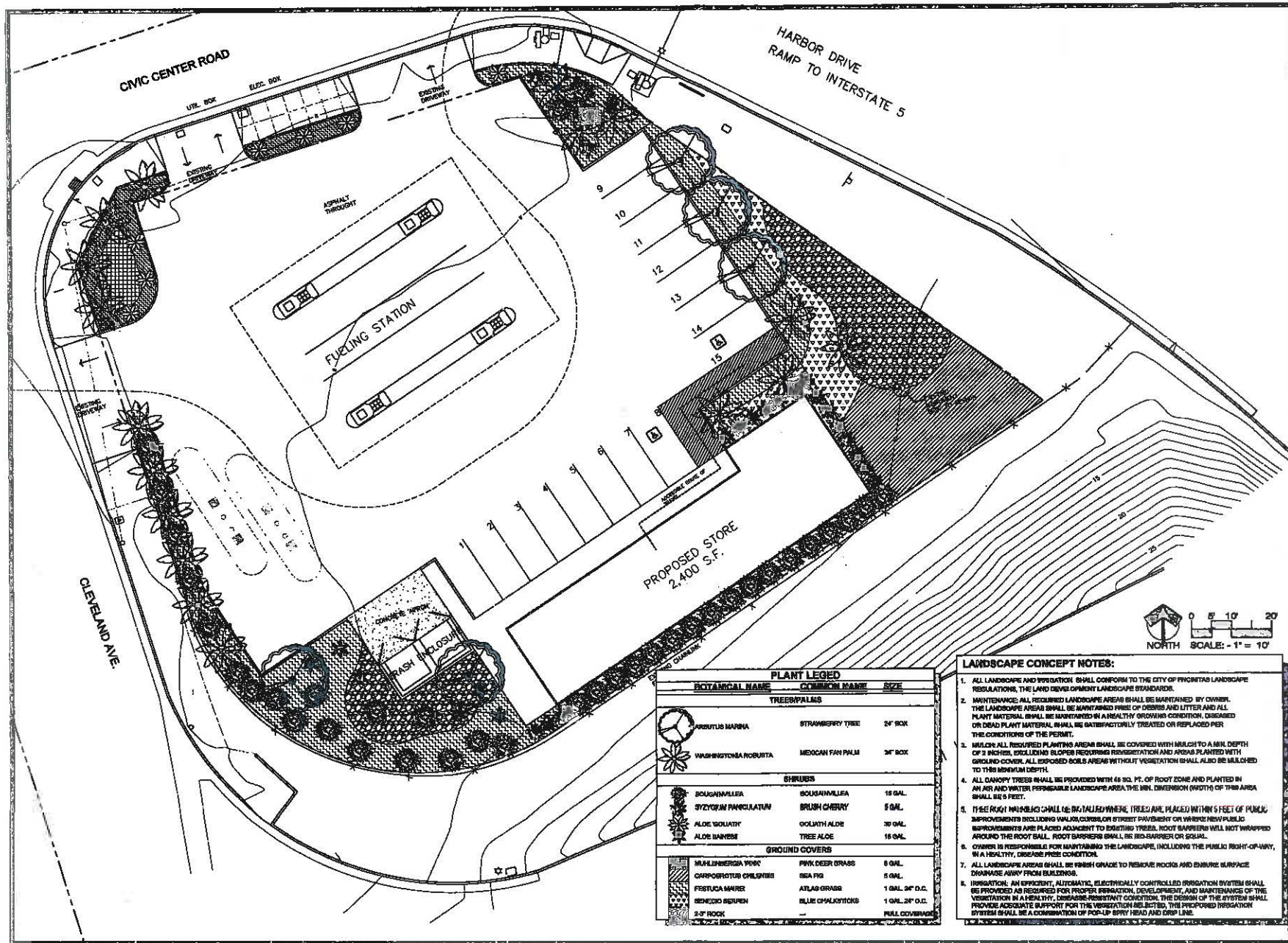
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08/01/01	02	02
08/01/01	03	03
08/01/01	04	04
08/01/01	05	05
08/01/01	06	06
08/01/01	07	07
08/01/01	08	08
08/01/01	09	09
08/01/01	10	10

CONVENIENT STORE
724 CMV CENTER DRIVE
NATIONAL, CA 92117



STASH
THOMAS
ARCHITECTS

OWNER: STASH
DESIGNER: STASH
DRAWN: STASH
JOB: STASH
SHEET: A1.2



PLANT LEGEND

BOTANICAL NAME	COMMON NAME	SIZE
TREES/PALMS		
PRUNUS MARINA	STRAWBERRY TREE	24" BOX
WASHINGTONIA ROBURATA	MEDICAN FAN PALM	24" BOX
SHRUBS		
BOUGAINVILLEA	BOUGAINVILLEA	18 GAL.
SYZYGIUM PANGLOSSIUM	BRUSH CHERRY	5 GAL.
ALOE SOLANUM	GOLDEN ALOE	30 GAL.
ALOE BAMBUZA	TREE ALOE	18 GAL.
GROUND COVERS		
MULLINBERGIA PINK	PINK DEER GRASS	5 GAL.
CARPENTERIA CHLORANTHES	SEA FIG	5 GAL.
FERTUCA MARIS	ATLAS GRASS	1 GAL. 24" D.C.
SENECHO BISPEN	BLUE CHALKSTICKS	1 GAL. 24" D.C.
2-3" ROCK	FULL COVERAGE	

LANDSCAPE CONCEPT NOTES:

1. ALL LANDSCAPE AND IRRIGATION SHALL CONFORM TO THE CITY OF PASCADILLA LANDSCAPE REGULATIONS, THE LAND DEVELOPMENT LANDSCAPE STANDARDS.
2. MAINTENANCE: ALL REQUIRED LANDSCAPE AREAS SHALL BE MAINTAINED BY OWNER. THE LANDSCAPE AREAS SHALL BE MAINTAINED FREE OF DEBRIS AND LITTER AND ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY GROWING CONDITION. DISCARDED OR DEAD PLANT MATERIAL SHALL BE SATISFACTORILY TREATED OR REPLACED PER THE CONDITIONS OF THE PERMIT.
3. MULCH: ALL REQUIRED PLANTING AREAS SHALL BE COVERED WITH MULCH TO A MIN. DEPTH OF 2 INCHES, INCLUDING SLOPES REQUIRING REVEGETATION AND AREAS PLANTED WITH GROUND COVERS. ALL EXPOSED SOILS AREAS WITHOUT VEGETATION SHALL ALSO BE MULCHED TO THIS MINIMUM DEPTH.
4. ALL CANOPY TREES SHALL BE PROVIDED WITH 48 SQ. FT. OF ROOT ZONE AND PLANTED IN AN AIR AND WATER PERMEABLE LANDSCAPE AREA THE MIN. DIMENSION (WIDTH) OF THIS AREA SHALL BE 6 FEET.
5. TREE TRUNK PROTECTION SHALL BE INSTALLED WHERE TREES ARE PLACED WITHIN 5 FEET OF PUBLIC IMPROVEMENTS INCLUDING WALKWAYS, CURBS OR STREET PAVEMENT OR WHERE NEW PUBLIC IMPROVEMENTS ARE PLACED ADJACENT TO EXISTING TREES. ROOT BARRIERS WILL NOT BE WRAPPED AROUND THE ROOT BALL. ROOT BARRIERS SHALL BE BED-BARRIERS OR SQUARE.
6. OWNER IS RESPONSIBLE FOR MAINTAINING THE LANDSCAPE, INCLUDING THE PUBLIC RIGHT-OF-WAY, IN A HEALTHY, DISEASE FREE CONDITION.
7. ALL LANDSCAPE AREAS SHALL BE FINISH GRADE TO REMOVE ROCKS AND ENSURE SURFACE DRAINAGE AWAY FROM BUILDINGS.
8. IRRIGATION: AN EFFICIENT, AUTOMATIC, ELECTRICALLY CONTROLLED IRRIGATION SYSTEM SHALL BE PROVIDED AS REQUIRED FOR PROPER IRRIGATION. DEVELOPMENT, AND MAINTENANCE OF THE VEGETATION IN A HEALTHY, DISEASE-RESISTANT CONDITION. THE DESIGN OF THE SYSTEM SHALL PROVIDE ADEQUATE SUPPORT FOR THE VEGETATION SELECTED. THE PROPOSED IRRIGATION SYSTEM SHALL BE A COMBINATION OF POP-UP SPRAY HEAD AND DRIP LINE.



SHEET TITLE:
LANDSCAPE CONCEPT PLAN

PROJECT:
CONVENIENCE STORE
CIVIC CENTER ROAD
NATIONAL CITY, CA 91950

DESIGN

APPROVED

DATE

BY

DATE

BY

DATE

BY

DATE

BY

DATE

BY

DATE

BY

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BY

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BY

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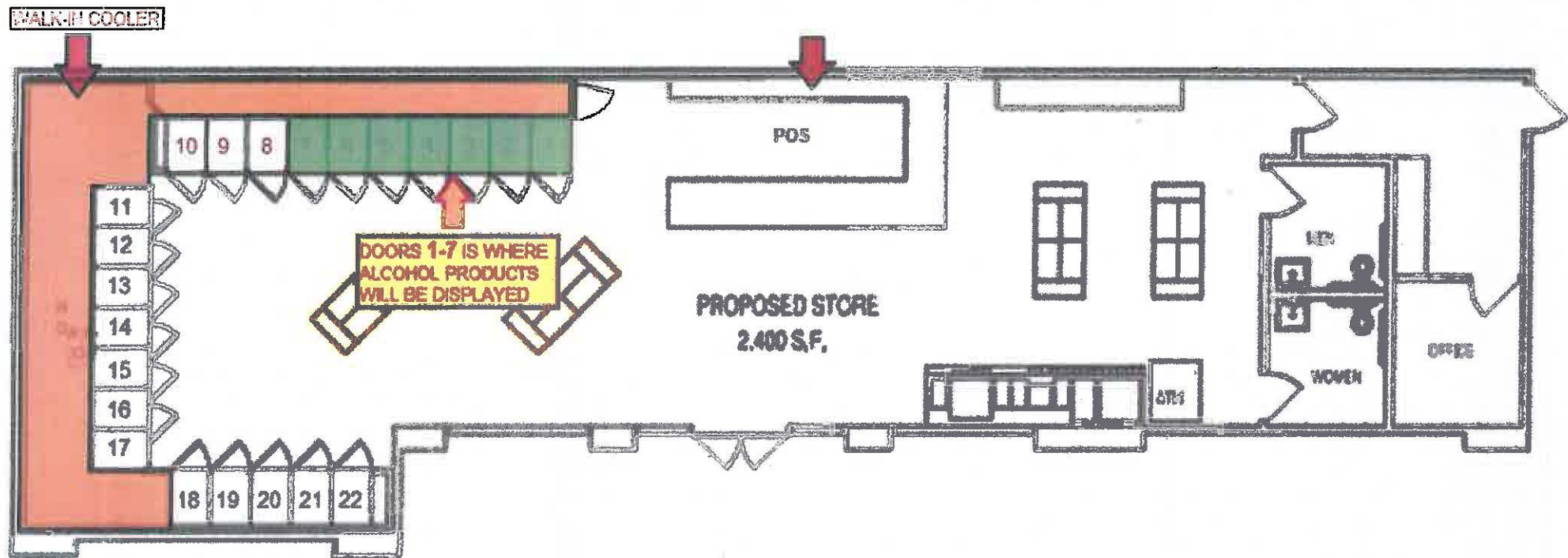


EXHIBIT: B
CASE FILE NO.: 2017-03 CUP, CDP
DATE: 2/27/2018

The following page(s) contain the backup material for Agenda Item: Notice of Decision – Planning Commission approval of a Zone Variance to waive the minimum street wall requirement for a multi-family development located at 1628 Orange Street. (Applicant: Keith Robinson) (Case File 2017-27 Z) (Planning)

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: [March 20, 2018]

AGENDA ITEM NO. []

ITEM TITLE:

[Notice of Decision – Planning Commission approval of a Zone Variance to waive the minimum street wall requirement for a multi-family development located at 1628 Orange Street. (Applicant: Keith Robinson) (Case File 2017-27 Z)]

PREPARED BY: Chris Stanley *CS*

DEPARTMENT: *MR* [Planning]

PHONE: [619-336-4381]

APPROVED BY: 

EXPLANATION:

[The project applicant has applied for a Zone Variance to waive the minimum street wall requirement for a proposed multi-family development consisting of four buildings containing 40 bedrooms. Each building would have common kitchen, living, and open space areas. The use itself is permitted by right; only the street wall is the subject of this request. The minimum street wall in the MXC-1 zone is 75% of the street frontage.

The Planning Commission conducted a public hearing on March 5, 2018. Commissioners asked questions regarding traffic, neighborhood compatibility, and housing options. Seven residents spoke in opposition to the project citing concerns with traffic, parking, and neighborhood compatibility. The Commission voted to recommend approval of the Zone Variance based on attached findings and Conditions of Approval.

The attached Planning Commission staff report describes the proposal in detail.]

FINANCIAL STATEMENT:

ACCOUNT NO. []

APPROVED: _____ **Finance**

APPROVED: _____ **MIS**

ENVIRONMENTAL REVIEW:

Categorical Exemption – Class 32, Section 15332 (In-Fill Development Projects)

ORDINANCE: **INTRODUCTION:** [] **FINAL ADOPTION:** []

STAFF RECOMMENDATION:

[Staff concurs with the decision of the Planning Commission and recommends that the Notice of Decision be filed.]

BOARD / COMMISSION RECOMMENDATION:

[The Planning Commission recommended approval of the Zone Variance.

Ayes: Yamane, Sendt, Garcia, Quintero Noes: Flores, Dela Paz Absent: Baca]

ATTACHMENTS:

- | | |
|-------------------------------------|-------------------------------|
| 1. Overhead | 3. Resolution No. 2018-04 (a) |
| 2. Planning Commission Staff Report | 4. Reduced Plans] |

2017-27 Z – 1628 Orange Street – Overhead





CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: PUBLIC HEARING - ZONE VARIANCE FOR THE
WAIVER OF MINIMUM STREET WALL
REQUIREMENTS FOR A PROPERTY LOCATED AT
1628 ORANGE STREET.

Case File No.: 2017-27 Z

Location: West side of the Orange Street cul-de-sac located
south of East 16th Street

Assessor's Parcel No.: 561-160-16

Staff Report By: Chris Stanley, Planning Technician

Applicant/Owner: Keith Robinson

Zoning Designation: Minor Mixed-Use Corridor (MXC-1)

Adjacent Land Use/Zoning:

North:	Small Lot Residential / RS-2
East:	Minor Mixed-Use Corridor / MXC-1
South:	Minor Mixed-Use Corridor / MXC-1
West:	Minor Mixed-Use Corridor / MXC-1

Environmental Review: Categorical Exemption – Class 32, Section 15332 (In-Fill Development Projects)

Staff Recommendation: Approve

Staff Recommendation

Staff recommends approval of the proposed multi-family development in the MXC-1 zone. The property lacks useable street frontage, making it impossible for any project proposed for this site to meet the development requirement of a 75% minimum street wall. Denial of the Zone Variance would assure that the site will continue to remain undeveloped. The proposal is consistent with all required findings of approval and would be consistent with all other regulations.

BACKGROUND

Executive Summary

The project applicant has applied for a Zone Variance to waive the minimum street wall requirement for the proposed multi-family development. The minimum street wall in the MXC-1 zone is 75% of the street frontage.

Site Characteristics

The 21,700 square-foot lot is located on the west side of Orange Street and south of East 16th Street on a cul-de-sac in the MXC-1 (Minor Mixed-Use Corridor) zone. The property is 108.50 feet wide and 200 feet deep. The property is accessed via an easement from Orange Street that is considered a public street. The easement is 30 feet in width and has the appearance of a driveway. The subject lot is currently undeveloped.

Proposed Use

The applicant is proposing to construct four multi-family dwelling units of approximately 4,500 to 5,000 square feet each. Each dwelling would include a common area consisting of a kitchen, dining, and recreational area, as well as 10 bedrooms. Each bedroom has a closet and bathroom and measures approximately 200 to 250 square feet in size. The units also include storage, parking, outdoor patios, and roof decks. The site plan shows 37 on-site parking spaces (24 covered and 13 uncovered) and 3,992 square feet of open space.

Analysis

The Land Use Code (LUC) requires development in the MXC-1 Zone to have a minimum street wall of 75%. The intent of this requirement is to ensure that a project in a mixed-use zone is pedestrian-friendly and inviting to passersby. Because the lot only has street frontage on an easement, it is not possible for a project proposed at this site to comply with this requirement. Enforcing the 75% requirement would leave a driveway that would not meet the minimum single-

vehicle driveway width of 12 feet. A Fire Department-compliant driveway of 20 feet is required in this case. The only way for a project to proceed is if the street wall requirement is waived.

Findings for Approval

Three specific findings must be made in order to approve a Zone Variance request:

1. The lot is affected by special circumstances, including size, shape, or topography, that deprive the lot of the ability to develop per the LUC as others have in the area.

In this case the property has no useable street frontage and therefore cannot meet the street wall requirement. If the street wall minimum was enforced on the 30-foot wide access road, only seven and a half feet would remain for vehicle access.

2. That granting of the Variance does not constitute a granting of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

In this case no other property in the same neighborhood and zone were required to have a minimum street wall. This is primarily because the 75% street wall requirement was only enacted upon the creation of the MXC-1 zone in 2011.

3. That the Variance does not authorize a use that is not otherwise allowed in the zone.

The proposed use of the property for multi-family residences is consistent with the mixed-use zoning requirement.

Finding for Denial

One finding for denial is also included as follows:

1. Although the property is currently zoned for mixed-use, the surrounding properties are single-family dwellings. Granting the variance would permit a project that does not fit in with the character of the neighborhood. The mixed-use zone is supposed to allow for walkable projects, but with a lack of street frontage, walkability would not be met with the proposed project.

Conditions of Approval

Comments were received from the Engineering Department regarding requirements for drainage, storm water, sewage, and the use of the City street. Comments were also provided by the Fire Department regarding fire code, back-flow, and fire vehicle access. The Building Department requires that the project meet building code. Comments from all departments are included as Conditions of Approval.

California Environmental Quality Act (CEQA)

The project would qualify as exempt under Class 32, Section 15332 (In-Fill Development Projects). The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. The project is consistent with the applicable general plan designation and policies, zoning designation and regulations, and will not affect endangered, rare, or threatened species.

Summary

Because of the property's lack of useable street frontage, it is not possible for a project proposed for this site to meet the development requirement of a 75% minimum street wall. If a Variance for this property is denied, the site will continue to remain undeveloped. The proposal is consistent with all required findings of approval and would be consistent with all other regulations.

OPTIONS

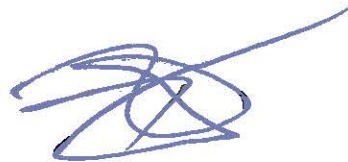
1. Approve 2017-27 Z subject to the conditions listed below, based on the attached findings, or findings to be determined by the Planning Commission; or
2. Deny 2017-27 Z based on the attached finding or findings to be determined by the Planning Commission; or,
3. Continue the item to a specific date in order to obtain additional information.

ATTACHMENTS

1. Recommended Findings
2. Recommended Conditions of Approval
3. Overhead
4. Applicant's Plans (Exhibit A, Case File No. 2017-27 Z, dated 1/23/2018)
5. Public Hearing Notice (Sent to 130 property owners and occupants)
6. CEQA Notice of Exemption
7. Resolutions



CHRIS STANLEY
Planning Technician



BRAD RAULSTON
Deputy City Manager

RECOMMENDED FINDINGS FOR APPROVAL

2017-27 Z, 1628 Orange Street

1. Because of special circumstances applicable to the property, including size, shape, or topography, the strict application of Title 18 of the Municipal Code (Zoning) deprives such property of privileges enjoyed by other properties in the vicinity and under the identical zone classification. In this case the property has no useable street frontage and therefore cannot meet the street wall requirement. If the street wall minimum was enforced on the 30-foot wide access road, it would leave only seven and a half feet for vehicle access.
2. The requested Variance is subject to such conditions which will assure that the adjustment authorized will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated. In this case there is no other property in the same neighborhood and zone that has the required street wall.
3. The Variance does not authorize a use or activity which is not otherwise expressly authorized by the zoning regulations governing the parcel of property. The proposed use of multi-family residential is consistent with the zoning requirement as it is permitted in the MXC-1 zone.

RECOMMENDED FINDING FOR DENIAL

2017-27 Z, 1628 Orange Street

1. Although the property is currently zoned for mixed-use, the surrounding properties are single-family dwellings. Granting the variance would permit a project that does not fit in with the character of the neighborhood. The mixed-use zone is supposed to allow for walkable projects, but with a lack of street frontage, walkability would not be met with the proposed project.

RECOMMENDED CONDITIONS OF APPROVAL

2017-27 Z, 1628 Orange Street

General

1. This Zone Variance authorizes a waiver of the minimum street wall requirement of 75% for a project located at 1628 Orange Street. Plans shall be consistent with Exhibit A, Case File No. 2017-27 Z, dated 1/23/2018.
2. This permit shall become null and void if not exercised within one year after adoption of the Resolution of approval unless extended according to procedures specified in Section 18.12.040 of the Municipal Code.
3. Before this Zone Variance shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of this permit. **Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the Zone Variance.** The applicant shall also submit evidence to the satisfaction of the Planning Department that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the Zone Variance are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the City Manager or assign prior to recordation.

Planning

4. A landscape and underground irrigation plan shall be submitted as part of the construction permitting process. All landscaping and irrigation improvements shall be maintained for the life of the project.
5. Storage space of not less than one hundred fifty cubic feet for each unit plus fifty cubic feet for each additional bedroom more than one is required. The area utilized by mechanical equipment (e.g., water heater, furnace, etc.) may not be included in the cubic footage requirement. Bedroom closets shall not be included in the cubic footage requirement.
6. Plans submitted for construction shall conform to Land Use Code Section 18.42.040 (Screening mechanical equipment and elevator housing) and 18.46 (Outdoor Lighting).

Building

7. Plans submitted for building permits shall be consistent with the 2016 California Building, Electrical, Plumbing, Mechanical, Energy, Green and Fire Codes.

Fire

8. Plans submitted for building permits shall comply with the 2016 editions of NFPA, CFC and the current edition of the CCR.
9. Fire alarm and fire sprinkler shall be evaluated and installed for intended use per code.
10. Fire apparatus access roads shall comply with the requirements of this section (Section 5 CFC 2013) and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus.
11. The required width of emergency fire apparatus access roads shall not be obstructed in any manner, including parking of vehicles. All access roads shall be no less than 20 feet wide, no less than 14 feet high and shall have an all weathered road with the ability to support 75 thousand pounds or greater. Where a fire hydrant is located on a fire apparatus road, the minimum road width shall be 26 feet. A 28 foot turning radius is required for fire department access through site. All fire department access roads shall be painted and signed to prevent parking in these required designated emergency areas.
12. Parking shall not impact requirements of turn-around provision at any time.
13. Grade of fire apparatus road shall be within the limits established (15% Grade) by the fire code official based on fire department's apparatus.
14. Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.

15. Every building four stories or more shall be provided with not less than one standpipe for use during construction. Such standpipes shall be installed when the progress of construction is not more than 35 feet in height above the lowest level of fire department access. Such standpipes shall be provided with fire department hose connections at accessible locations adjacent to such useable stairs and the standpipe outlets shall be located adjacent to such useable stairs. Such standpipe systems shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring. On each floor there shall be provided a 2 ½ -inch valve outlet for fire department use.
16. Where the roof has a slope less than four units vertical in 12 units horizontal, a hose connection shall be located to serve the roof of at the highest landing of a stairway with stair access to the roof provided in accordance with the current code.
17. If entrance/exit gates are used, they shall be equipped with a Knox Box and emergency strobes so as to provide emergency vehicle access and egress. A Knox Key Switch shall be required in conjunction with strobe for emergency access, and shall be placed at the front of property. Please contact the National City Fire Department for the exact field location.
18. If an elevator is proposed, the apparatus shall meet state standards required to allow for emergency travel of an ambulance gurney.
19. The project shall accommodate chapters 3 and 9 of the California Fire Code if roof top use is determined. This may include recreation, barbecues, vegetation etc.
20. Fire hydrants that may be located throughout the project shall not have a separation distance greater than 300 feet. Fire hydrants shall be located within 300 feet of all locations which are roadway accessible (measurement starts from nearest public fire hydrant to project).

The following items pertain to fire hydrants:

- a) Size and location, including size and number of outlets and whether outlets are to be equipped with independent gate valves.
 - b) Fire hydrant shall be of a three-outlet design.
21. Provide calculations confirming flow availability to meet fire flow demands and to supply large diameter hose (4-inch).
 22. Fire hydrants shall be marked using a blue reflective marker in the roadway.

23. Upon submittal for an underground permit, the following shall be included:

- Data sheet for Back-Flows
- Data sheets for Private and Commercial Hydrants
- Data sheets for Post Indicator Valves

Information on required fire hydrants back-flow devices, etc.; can be acquired from Sweetwater Authority. All pipe and their appliances shall meet industry/code standards for underground use.

24. An approved water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material arrives on the site.

25. Approved vehicle access for firefighting shall be provided to all construction and demolition sites. Vehicle access shall be provided to within 100 feet of temporary or permanent fire department connections. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available.

26. Should any plan corrections be required, the contractor must correct the plan and re-submit to the Fire Department for approval once again prior to installation.

27. Approval for final sign-off shall be contingent upon final field inspection and compliance with all applicable codes and ordinances.

Engineering

28. A Hydrology study (100-year flood) is required for the new project. The study should consider the proposed project area to the closest municipal storm drain collection point. The study should consider the adequacy of the existing storm drain system to convey any additional run off. All Hydrology study findings and recommendations are part of Engineering Department requirements.

29. The Storm Water BMP Requirements Applicability Form I-1 and if required I-2 checklist for the National Pollutant Discharge Elimination System (NPDES) is required to be completed and submitted to the Engineering Department. The checklist will be required when a project site is submitted for review of the City Departments. The checklist is available at the Engineering Division web site at the link below *. If it is

determined that the project is subject to the "Priority Project Permanent Storm Water BMP Requirements" and the City of National City Storm Water Best Management Practices of the Jurisdictional Urban Runoff Management Program (JURMP) approved Standard Urban Storm Water Mitigation Plan (SUSMP) documentation will be required prior to issuance of an applicable engineering permit. The SUSMP shall be prepared by a Registered Civil Engineer.

*<http://www.nationalcityca.gov/city-government/engineering-public-works/engineering-division/online-services-forms-fees>.

30. The Best Management Practices (BMPs) for the maintenance of the proposed construction shall be undertaken in accordance with the National Pollutant Discharge Elimination System (NPDES) regulations which may require a Storm Water Pollution Prevention Plan (SWPPP) for the project. An approved SWPPP will be required prior to issuing of a construction permit.
31. All surface run-off shall be treated with an approved Standard Urban Runoff Mitigation Plan (SUSMP) Best Management Practice (BMP) for all Priority SUSMP projects. No runoff will be permitted to flow over the sidewalk. Adjacent properties shall be protected from surface run-off resulting from this development.
32. The property owner, or its successors and assigns shall be responsible for the maintenance, repair, or reconstruction of all irrigation and landscaping improvements installed within the public right-of-way. Sprinkler heads shall be adjusted so as to prevent overspray upon the public sidewalk or the street. The proposed sprinkler heads shall be installed behind the sidewalk, and the irrigation mainline upon private property only, as required by the City. The property owner or, its successors or assigns, shall be remove and relocate all irrigation items from the public right-of-way at no cost to the City, and within a reasonable time frame upon a written notification by the City Engineer.
33. Metallic identification tape shall be placed between the bottom layer of the finished surface and the top of all irrigation lines in the public right-of-way.
A grading and drainage plan shall be submitted showing all of the proposed and existing on-site and off-site improvements. The plan shall be prepared in accordance with the City's standard requirements by a Registered Civil Engineer. All necessary measures for prevention of storm water pollution and hazardous material run-off to the public storm drain system from the proposed parking lot or development shall be implemented with the design of the grading. This shall include the provision of such devices as storm drain interceptors, clarifiers, or filters. Best Management Practices

for the maintenance of the parking lot, including sampling, monitoring, and cleaning of private catch basins and storm drains, shall be undertaken in accordance with the National Pollution Discharge Elimination System (NPDES) regulations. A private storm water treatment maintenance agreement shall be signed and recorded. A check list for preparation of the grading plan/drainage plan is available at the Engineering Department.

34. All existing and proposed curb inlet on property shall be provided with a "No Dumping" signage in accordance with the NPDES program.
35. A National Pollutant Discharge Elimination System (NPDES) permit is required for discharges of storm water runoff associated with construction greater than 1 acre activity where clearing, grading, and excavation results in a land disturbance. A construction storm water permit shall be obtained from the Regional Water Quality Control Board. A copy of shall be given to the City of National City Engineering Department prior to any work beginning on the project.
36. A Notice of Intent (NOI) shall be filed with the Regional Water Quality Control Board (RWQCB).
37. A sewer permit will be required. The method of sewage collection and disposal shall be shown on the grading/drainage plan. Any new sewer lateral in the City right-of-way shall be six inch in size with a clean out. A sewer stamp "S" shall be provided on the curb to mark the location of the lateral.
38. Separate street and sewer plans prepared by Registered Civil Engineer shall be submitted showing all of the existing and proposed improvements. The plans shall be in accordance with City requirements.
39. A soils engineering report shall be submitted for the Engineering Department's review after Planning Commission approval. The report shall address the stability of all of the existing and proposed slopes on the property. It shall also address the adequacy of the building pads, the criteria for any new retaining wall design, the maximum allowable soil bearing pressure and the required pavement structural sections for the proposed streets, the parking areas, and the driveways. At a minimum, the parking lot pavement sections shall be 2-inch A.C. over 4-inch Class II aggregate base. The street pavement sections shall be in accordance with National City modified Standard Drawing G-34. All soils report findings and recommendations shall be part of the Engineering Department requirements.

40. An existing 50-foot wide street easement reserved to the City of National City exists at the northerly 50 feet of Lot E of Block 5 of Map 1785 excepting the westerly 221.5 feet and the easterly 30 feet of Lot F of Map 1785 and no building encroachment will be allowed within the easement (see attached document). The easement shall be shown on the plans.
41. All existing survey monuments, including any benchmark within the boundaries of the project, shall be shown on the plans. If disturbed, a licensed land surveyor or civil engineer shall restore them after completion of the work. A Corner Record shall be filed with the County of San Diego Recorder. A copy of the documents filed shall be given to the City of National City Engineering Department as soon as filed.
42. A permit shall be obtained from the Engineering Department for all improvement work within the public right-of-way and any grading construction on private property.
43. Street improvements shall be in accordance with the City Standards. All missing street improvements shall be constructed. Abandoned driveway aprons shall be replaced with curb, gutter, and sidewalks.
44. The site plan shall be revised to show the existing street easement granted to the City per attached document. Parking shall conform to City of National City standards.
45. A title report shall be submitted to the Engineering Department, after the Planning Commission approval, for review of all existing easements and the ownership at the property.
46. All proposed NO PARKING zone(s) (red curbing) shall be shown in the street improvement plans.
47. All new dwellings are subject to a Transportation Development Impact Fee of \$2,405.00. This includes new homes, condos, and apartments.
48. All electrical, telephone, and similar distribution service wires for the new structure(s) shall be placed underground.
49. A cost estimate for all of the proposed grading, drainage, street improvements, landscaping, and retaining wall work shall be submitted with the plans. A performance bond equal to the approved cost estimate shall be posted. Three percent (3%) of the estimated cost shall also be deposited with the City as an initial cost for plan checking

and inspection services at the time the plans are submitted. The deposit is subject to adjustment according to actual worked hours and consultant services.

50. A hydromodification plan or a letter sealed and signed by the Engineer of Work explaining why the project is exempt from hydromodification requirements shall be submitted.
51. The City Engineer suggests that the developer contact SDG&E to have a street light installed on the existing pole on the easterly end of the unnamed street where street parking is proposed.



CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF PUBLIC HEARING

ZONE VARIANCE FOR THE WAIVER OF MINIMUM STREET WALL
REQUIREMENTS FOR A PROPERTY LOCATED AT 1628 ORANGE STREET
CASE FILE NO.: 2017-27 Z
APN: 561-160-16

The National City Planning Commission will hold a public hearing after the hour of 6:00 p.m. **Monday, March 5, 2018**, in the City Council Chambers, Civic Center, 1243 National City Boulevard, National City, California, on the proposed request. (Applicant: Keith Robinson)

The applicant is requesting a waiver of the minimum 75% street wall requirement for a multi-unit residential project in the Minor Mixed-Use Corridor zone. The property is accessed from a spur of Orange Street south of East 16th Street and has only 30 feet of street frontage on the spur.

Information is available for review at the City's Planning Department, Civic Center. Members of the public are invited to comment. Written comments should be received on or before 12:00 p.m., **March 5, 2018** by the Planning Department, who can be contacted at 619-336-4310 or planning@nationalcityca.gov

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

NATIONAL CITY PLANNING DEPARTMENT

BRAD RAULSTON
Deputy City Manager



NOTICE OF EXEMPTION

TO: Assessor/Recorder/County Clerk
Attn: Fish and Wildlife Notices
1600 Pacific Highway, Suite 260
San Diego, CA 92101
MS: A-33

Lead Agency: City of National City

Project Title: 2017-27 Z

Project Location: 1628 Orange Street, National City, CA 91950

Contact Person: Chris Stanley

Telephone Number: (619) 336-4381

Description of Nature, Purpose and Beneficiaries of Project:

Zone Variance application for waiver of a 75% street wall minimum requirement.

Applicant:

Keith Robinson
3559 4th St.
San Diego, CA 92103

Telephone Number:

(619) 202-7283

Exempt Status:

☒ **Categorical Exemption. Class 32 Section 15332 (In-Fill Development)**

Reasons why project is exempt:

It can be seen with certainty that the project will not have a significant effect on the environment, since the project exists within a fully urbanized residential area. The project is consistent with the applicable general plan designation, policies, and zoning designation and regulations. No habitat exists on the site in which the development is proposed.

Date:

CHRIS STANLEY
Planning Technician

RESOLUTION NO. 2018-04 (a)

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA
APPROVING A ZONE VARIANCE FOR THE WAIVER OF A STREET WALL
REQUIREMENT
LOCATED AT 1628 ORANGE STREET
CASE FILE NO. 2017-27 Z
APN: 561-160-16**

WHEREAS, the Planning Commission of the City of National City considered a Zone Variance for a waiver of a street wall requirement for a property located at 1628 Orange Street at a duly advertised public hearing held on March 5, 2018, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2017-27 Z maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law; and,

WHEREAS, the action recited herein is found to be essential for the preservation of public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on March 5, 2018, support the following findings:

1. That the lot is affected by special circumstances, including size, shape, or topography, that deprive the lot of the ability to develop per the Land Use Code as others in the area have, because the property has no useable street frontage and therefore cannot meet the street wall requirement.
2. That granting of the Variance does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated, because no other property in the same neighborhood and zone was required to have a minimum street wall. This is primarily because the 75% street wall requirement was only enacted upon the creation of the MXC-1 zone in 2011.
3. That the Variance does not authorize a use that is not otherwise allowed in the zone, because the proposed use of the property for multi-family residences is consistent with the mixed-use zoning requirement.
4. That the proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA); staff has determined that the proposed use is

categorically exempt from environmental review pursuant to Class 32 Section 15332. This section allows for in-fill development that is consistent with the general plan and zoning designation; occurs within city limits; is no more than five acres and substantially surrounded by urban uses; the site has no value as habitat for endangered, rare or threatened species; would not result in any significant effects relating to traffic, noise, air quality, or water quality; and can be adequately served by all required utilities and public services. The addition in questions is consistent with this exemption.

BE IT FURTHER RESOLVED that the application for a Zone Variance is approved subject to the following conditions:

General

1. This *Zone Variance* authorizes a waiver of the minimum street wall requirement of 75% for a project located at 1628 Orange Street. Plans shall be consistent with Exhibit A, Case File No. 2017-27 Z, dated 1/23/2018.
2. Before this Zone Variance shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the Zone Variance. The applicant shall also submit evidence to the satisfaction of the Planning Department that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the Zone Variance are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the City Manager or assign prior to recordation.
3. This permit shall become null and void if not exercised within one year after adoption of the Resolution of approval unless extended according to procedures specified in Section 18.12.040 of the Municipal Code.

Planning

4. A landscape and underground irrigation plan shall be submitted as part of the construction permitting process. All landscaping and irrigation improvements shall be maintained for the life of the project.

5. Storage space of not less than one hundred fifty cubic feet for each unit plus fifty cubic feet for each additional bedroom more than one is required. The area utilized by mechanical equipment (e.g., water heater, furnace, etc.) may not be included in the cubic footage requirement. Bedroom closets shall not be included in the cubic footage requirement.
6. Plans submitted for construction shall conform to Land Use Code Section 18.42.040 (Screening mechanical equipment and elevator housing) and 18.46 (Outdoor Lighting).

Building

7. Plans submitted for building permits shall be consistent with the 2016 California Building, Electrical, Plumbing, Mechanical, Energy, Green and Fire Codes.

Fire

8. Plans submitted for building permits shall comply with the 2016 editions of NFPA, CFC and the current edition of the CCR.
9. Fire alarm and fire sprinkler shall be evaluated and installed for intended use per code.
10. Fire apparatus access roads shall comply with the requirements of this section (Section 5 CFC 2013) and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus.
11. The required width of emergency fire apparatus access roads shall not be obstructed in any manner, including parking of vehicles. All access roads shall be no less than 20 feet wide, no less than 14 feet high and shall have an all weathered road with the ability to support 75 thousand pounds or greater. Where a fire hydrant is located on a fire apparatus road, the minimum road width shall be 26 feet. A 28 foot turning radius is required for fire department access through site. All fire department access roads shall be painted and signed to prevent parking in these required designated emergency areas.

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13. Grade of fire apparatus road shall be within the limits established (15% Grade) by the fire code official based on fire department's apparatus.
14. Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.
15. Every building four stories or more shall be provided with not less than one standpipe for use during construction. Such standpipes shall be installed when the progress of construction is not more than 35 feet in height above the lowest level of fire department access. Such standpipes shall be provided with fire department hose connections at accessible locations adjacent to such useable stairs and the standpipe outlets shall be located adjacent to such useable stairs. Such standpipe systems shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring. On each floor there shall be provided a 2 ½ -inch valve outlet for fire department use.
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17. If entrance/exit gates are used, they shall be equipped with a Knox Box and emergency strobes so as to provide emergency vehicle access and egress. A Knox Key Switch shall be required in conjunction with strobe for emergency access, and shall be placed at the front of property. Please contact the National City Fire Department for the exact field location.
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19. The project shall accommodate chapters 3 and 9 of the California Fire Code if roof top use is determined. This may include recreation, barbecues, vegetation etc.
20. Fire hydrants that may be located throughout the project shall not have a separation distance greater than 300 feet. Fire hydrants shall be located within 300 feet of all

locations which are roadway accessible (measurement starts from nearest public fire hydrant to project).

• The following items pertain to fire hydrants:

- a) Size and location, including size and number of outlets and whether outlets are to be equipped with independent gate valves.
- b) Fire hydrant shall be of a three-outlet design.

21. Provide calculations confirming flow availability to meet fire flow demands and to supply large diameter hose (4-inch).

22. Fire hydrants shall be marked using a blue reflective marker in the roadway.

23. Upon submittal for an underground permit, the following shall be included:

- Data sheet for Back-Flows
- Data sheets for Private and Commercial Hydrants
- Data sheets for Post Indicator Valves

Information on required fire hydrants back-flow devices, etc.; can be acquired from Sweetwater Authority. All pipe and their appliances shall meet industry/code standards for underground use.

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26. Should any plan corrections be required, the contractor must correct the plan and re-submit to the Fire Department for approval once again prior to installation.

27. Approval for final sign-off shall be contingent upon final field inspection and compliance with all applicable codes and ordinances.

Engineering

28. A Hydrology study (100-year flood) is required for the new project. The study should consider the proposed project area to the closest municipal storm drain collection point. The study should consider the adequacy of the existing storm drain system to convey any additional run off. All Hydrology study findings and recommendations are part of Engineering Department requirements.
29. The Storm Water BMP Requirements Applicability Form I-1 and if required I-2 checklist for the National Pollutant Discharge Elimination System (NPDES) is required to be completed and submitted to the Engineering Department. The checklist will be required when a project site is submitted for review of the City Departments. The checklist is available at the Engineering Division web site at the link below *. If it is determined that the project is subject to the "Priority Project Permanent Storm Water BMP Requirements" and the City of National City Storm Water Best Management Practices of the Jurisdictional Urban Runoff Management Program (JURMP) approved Standard Urban Storm Water Mitigation Plan (SUSMP) documentation will be required prior to issuance of an applicable engineering permit. The SUSMP shall be prepared by a Registered Civil Engineer.
- *<http://www.nationalcityca.gov/city-government/engineering-public-works/engineering-division/online-services-forms-fees>.
30. The Best Management Practices (BMPs) for the maintenance of the proposed construction shall be undertaken in accordance with the National Pollutant Discharge Elimination System (NPDES) regulations which may require a Storm Water Pollution Prevention Plan (SWPPP) for the project. An approved SWPPP will be required prior to issuing of a construction permit.
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32. The property owner, or its successors and assigns shall be responsible for the maintenance, repair, or reconstruction of all irrigation and landscaping improvements installed within the public right-of-way. Sprinkler heads shall be adjusted so as to prevent overspray upon the public sidewalk or the street. The proposed sprinkler heads shall be installed behind the sidewalk, and the irrigation

mainline upon private property only, as required by the City. The property owner or, its successors or assigns, shall be remove and relocate all irrigation items from the public right-of-way at no cost to the City, and within a reasonable time frame upon a written notification by the City Engineer.

33. Metallic identification tape shall be placed between the bottom layer of the finished surface and the top of all irrigation lines in the public right-of-way.
A grading and drainage plan shall be submitted showing all of the proposed and existing on-site and off-site improvements. The plan shall be prepared in accordance with the City's standard requirements by a Registered Civil Engineer. All necessary measures for prevention of storm water pollution and hazardous material run-off to the public storm drain system from the proposed parking lot or development shall be implemented with the design of the grading. This shall include the provision of such devices as storm drain interceptors, clarifiers, or filters. Best Management Practices for the maintenance of the parking lot, including sampling, monitoring, and cleaning of private catch basins and storm drains, shall be undertaken in accordance with the National Pollution Discharge Elimination System (NPDES) regulations. A private storm water treatment maintenance agreement shall be signed and recorded. A check list for preparation of the grading plan/drainage plan is available at the Engineering Department.
34. All existing and proposed curb inlet on property shall be provided with a "No Dumping" signage in accordance with the NPDES program.
35. A National Pollutant Discharge Elimination System (NPDES) permit is required for discharges of storm water runoff associated with construction greater than 1 acre activity where clearing, grading, and excavation results in a land disturbance. A construction storm water permit shall be obtained from the Regional Water Quality Control Board. A copy of shall be given to the City of National City Engineering Department prior to any work beginning on the project.
36. A Notice of Intent (NOI) shall be filed with the Regional Water Quality Control Board (RWQCB).
37. A sewer permit will be required. The method of sewage collection and disposal shall be shown on the grading/drainage plan. Any new sewer lateral in the City right-of-way shall be six inch in size with a clean out. A sewer stamp "S" shall be provided on the curb to mark the location of the lateral.

38. Separate street and sewer plans prepared by Registered Civil Engineer shall be submitted showing all of the existing and proposed improvements. The plans shall be in accordance with City requirements.
39. A soils engineering report shall be submitted for the Engineering Department's review after Planning Commission approval. The report shall address the stability of all of the existing and proposed slopes on the property. It shall also address the adequacy of the building pads, the criteria for any new retaining wall design, the maximum allowable soil bearing pressure and the required pavement structural sections for the proposed streets, the parking areas, and the driveways. At a minimum, the parking lot pavement sections shall be 2-inch A.C. over 4-inch Class II aggregate base. The street pavement sections shall be in accordance with National City modified Standard Drawing G-34. All soils report findings and recommendations shall be part of the Engineering Department requirements.
40. An existing 50-foot wide street easement reserved to the City of National City exists at the northerly 50 feet of Lot E of Block 5 of Map 1785 excepting the westerly 221.5 feet and the easterly 30 feet of Lot F of Map 1785 and no building encroachment will be allowed within the easement (see attached document). The easement shall be shown on the plans.
41. All existing survey monuments, including any benchmark within the boundaries of the project, shall be shown on the plans. If disturbed, a licensed land surveyor or civil engineer shall restore them after completion of the work. A Corner Record shall be filed with the County of San Diego Recorder. A copy of the documents filed shall be given to the City of National City Engineering Department as soon as filed.
42. A permit shall be obtained from the Engineering Department for all improvement work within the public right-of-way and any grading construction on private property.
43. Street improvements shall be in accordance with the City Standards. All missing street improvements shall be constructed. Abandoned driveway aprons shall be replaced with curb, gutter, and sidewalks.
44. The site plan shall be revised to show the existing street easement granted to the City per attached document. Parking shall conform to City of National City standards.

45. A title report shall be submitted to the Engineering Department, after the Planning Commission approval, for review of all existing easements and the ownership at the property.
46. All proposed NO PARKING zone(s) (red curbing) shall be shown in the street improvement plans.
47. All new dwellings are subject to a Transportation Development Impact Fee of \$2,405.00. This includes new homes, condos, and apartments.
48. All electrical, telephone, and similar distribution service wires for the new structure(s) shall be placed underground.
49. A cost estimate for all of the proposed grading, drainage, street improvements, landscaping, and retaining wall work shall be submitted with the plans. A performance bond equal to the approved cost estimate shall be posted. Three percent (3%) of the estimated cost shall also be deposited with the City as an initial cost for plan checking and inspection services at the time the plans are submitted. The deposit is subject to adjustment according to actual worked hours and consultant services.
50. A hydromodification plan or a letter sealed and signed by the Engineer of Work explaining why the project is exempt from hydromodification requirements shall be submitted.
51. The City Engineer suggests that the developer contact SDG&E to have a street light installed on the existing pole on the easterly end of the unnamed street where street parking is proposed.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of March 5, 2018, by the following vote:

AYES: Yamane, Sendt, Garcia, Quintero

NAYS: Flores, Dela Paz

ABSENT: Baca

ABSTAIN: None


CHAIRPERSON

EXHIBIT: A
CASE FILE NO.: 2017-27 2
DATE: 1/23/2018

COMPANY/LOCATION	CHAMBERS PAPERCO, LLC NORTH WICHITA, OKLAHOMA 3800 47TH ST JONES CIRCLE, CA 8003 P 918-288-7283
ARCHITECT	CLARK BROS COLUMBIA, MO 416 E 6TH ST SALT CREEK, CA 80018 P 719-882-2905
CIVIL ENGINEER	PAULSON KLEIN SUTTER & ASSOCIATES MILWAUKEE, WI, PAULSON KLEIN SUTTER & ASSOCIATES 255 NORTH HICKORY AVE, STE A WOLLAH, INDIAN, CA 80085 P 812-838-8222 EXT 112 F 812-838-8079

[illegible]

FLOOR AREA CALCULATION	
LIVING AREA	
1ST FLOOR	2,098 SF
2ND FLOOR	2,117 SF

2ND FLOOR	4,587 SF
3RD FLOOR	4,587 SF
TOTAL LIVING AREA	16,533 SF
CARAGE / TRUCK AREA	4,581 SF
TOTAL FLOOR AREA	26,374 SF

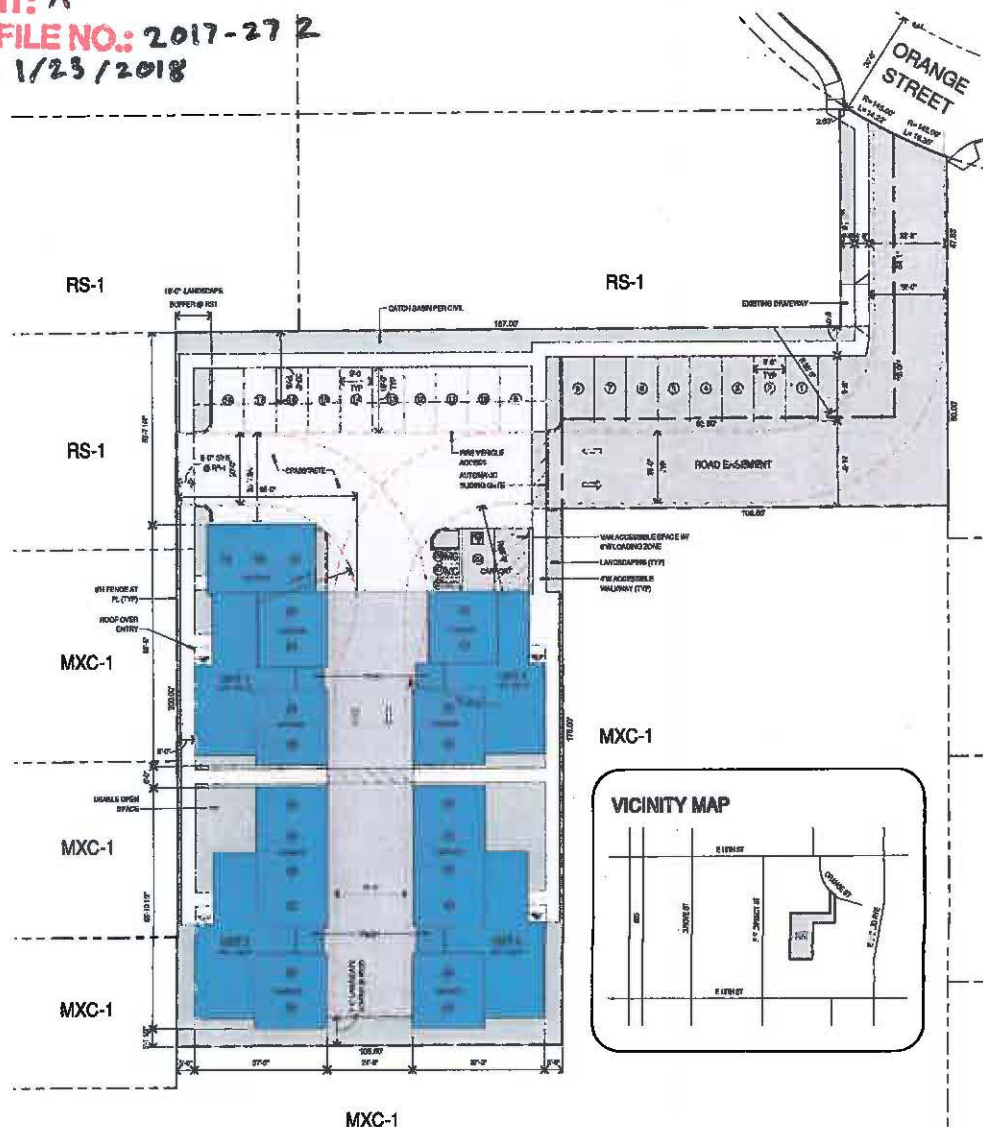
UNIVERSITY OF CALIFORNIA, BERKELEY

REQUIRED:
COMMON OPEN SPACE: 308 SF X 4 DU
-289 SF X 4 DU
PRIVATE OPEN SPACE: 780 SF
PROVIDED:
COMMON OPEN SPACE:
PRIVATE OPEN SPACE:

INTERPOLARITEC

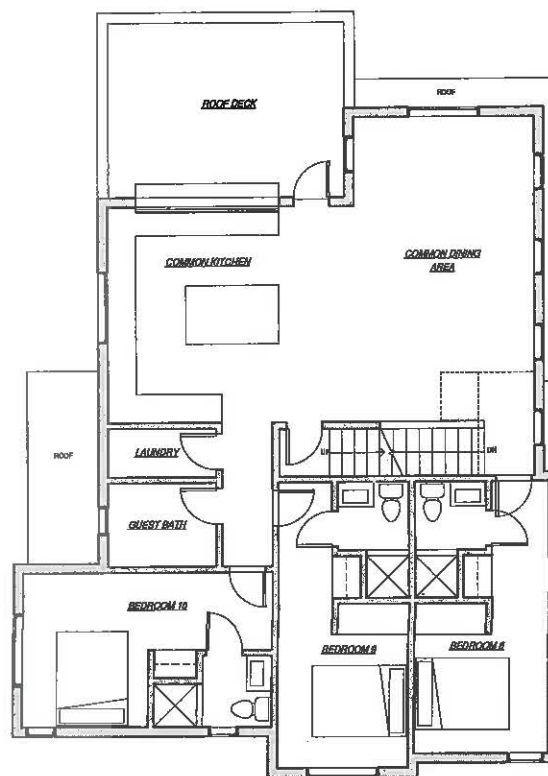
IMPERVIOUS AREA: 18.09 SF
PERVIOUS AREA: 85.74 SF

A100 SITE PLAN AND PROJECT INFORMATION
A101 UNIT 1 FIRST FLOOR AND SECOND FLOOR PLANS
A102 UNIT 1 THIRD FLOOR AND ROOF PLANS
A103 SITE AXONOMETRIC

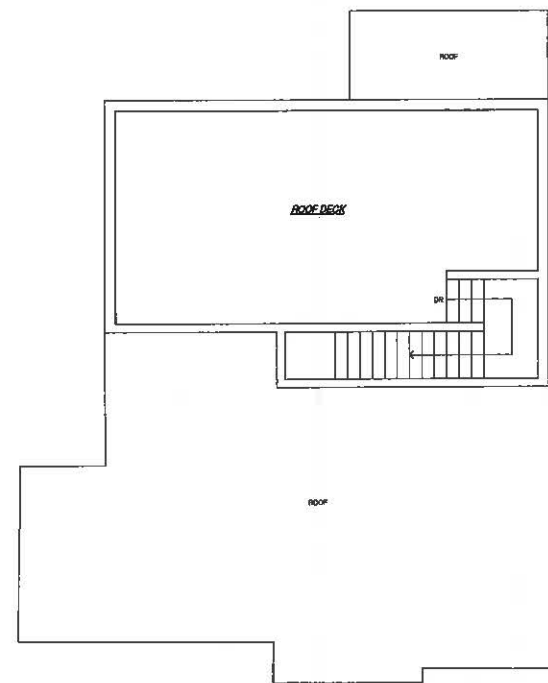


1 SITE PLAN





1 UNIT 1 - THIRD FLOOR PLAN



2 UNIT 1 - ROOF PLAN



CLAD Inc
4701 Third Street, San Diego, CA 92161
619.596.1166

Project Number:	0017-00
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Drawn By:	CL
Date:	12/15/92

Review Article

FEA	CODE	NAME
FEA-1		

[illegible]

The first system of musical notation for 'The Rose Tree'. It consists of a single staff with a treble clef and a key signature of one flat (B-flat). The melody begins with a quarter note G4, followed by a quarter note A4, and then a quarter note B-flat4. The notation is partially cut off on the right side of the page.

Shaqi Pinar:

Figure 1

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UNIT 1 THIRD FLOOR AND

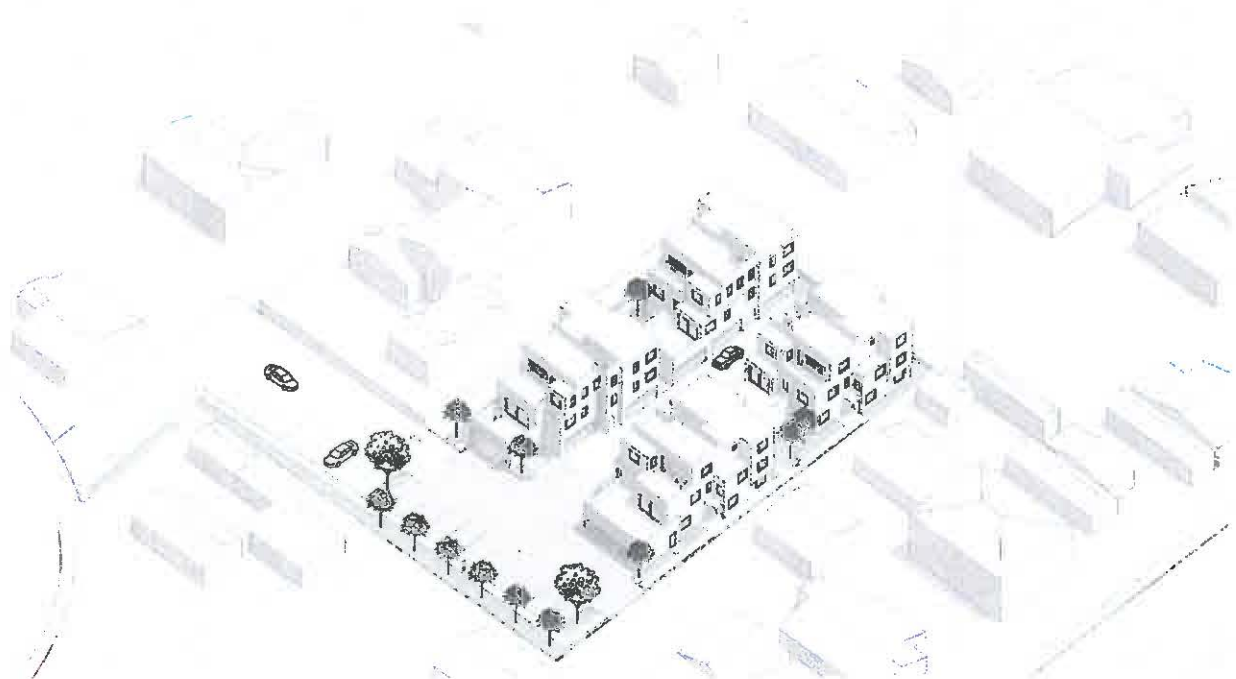
ROOF PLANS

Serial Number: _____

1

A100

1A102 ✓



1 SITE AXONOMETRIC



2 ELEVATION (WEST)

Orange Street Residences

1628 Orange Street National City, CA 91950

Project:



California:
Professional Seal, San Diego, California
0000000000

Project/Location: 1628-01

Drawn by: [Signature]

Check by: [Signature]

Date: [Date]

Scale: [Scale]

Sheet: [Sheet]

Revision: [Revision]

Author: [Author]

Checker: [Checker]

Engineer: [Engineer]

Site Axonometric

Sheet Number:

SITE AXONOMETRIC

Sheet Number:

A103